

Mich., favoring Federal control of liquor traffic in Indian Territory—to the Committee on the Territories.

By Mr. HERMANN: Petition of the Newburgh Board of Trade, favoring Government condemning the Willamette River locks at Oregon City—to the Committee on Rivers and Harbors.

By Mr. HITT: Petition of the Railways' Twentieth Century Club, of Chicago, favoring legislation for safety appliances on railways—to the Committee on Interstate and Foreign Commerce.

By Mr. HULL: Petition of the Woman's Christian Temperance Union of Indianola, Iowa, against liquor selling on Government premises—to the Committee on Public Buildings and Grounds.

By Mr. JACKSON of Ohio: Petition of the Brotherhood of Railway Trainmen, of Galion, Ohio, favoring bill H. R. 7041—to the Committee on the Judiciary.

Also, petition of the Brotherhood of Railway Trainmen, of Bucyrus, Ohio, favoring enactment of law embodied in bill H. R. 7041—to the Committee on the Judiciary.

By Mr. LILLEY: Petition of the Brotherhood of Locomotive Engineers, New Hampshire Division, No. 77, favoring bill H. R. 13354—to the Committee on Military Affairs.

By Mr. LINDSAY: Petition of the board of directors of the Receivers and Shippers' Association of Cincinnati, Ohio, favoring National Government controlling freight rates—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Carriage Builders' Association, favoring increased power for Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. MAHON: Petition of R. R. Ferry et al., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MARTIN: Petition of Charles M. Clark et al., against law relative to Sabbath observance in the District of Columbia—to the Committee on the District of Columbia.

By Mr. MOON: Papers to accompany bill for the relief of Daniel J. Chandler—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: Petition of the Chamber of Commerce of San Francisco, favoring legislation as provided for in bill H. R. 16453—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Chamber of Commerce of San Francisco, asking increased facilities for tug service in the harbor of San Francisco—to the Committee on the Merchant Marine and Fisheries.

Also, senate joint resolution No. 1 of the California legislature, against imposing tax on brandy used in fortifying sweet wines—to the Committee on Ways and Means.

By Mr. PADGETT: Paper to accompany bill for the relief of Willis Booker—to the Committee on Pensions.

Also, paper to accompany bill for the relief of G. W. Outlaw—to the Committee on Pensions.

By Mr. RAINEY: Petition of A. Wall et al., against law for parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. RUPPERT: Petition of the Carriage Builders' National Association, favoring increased powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Illinois Lumber Dealers' Association, favoring Government control of freight rates—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Petition of Buffalo Division, No. 15, Brotherhood of Locomotive Engineers, favoring Bates employers' liability bill—to the Committee on the Judiciary.

By Mr. SHERMAN: Petition of Ilion Grange, Patrons of Husbandry, favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

By Mr. SHULL: Paper to accompany bill for the relief of Ephraim N. R. Ohl, of Northampton County, Pa.—to the Committee on Pensions.

By Mr. SIBLEY: Petition of Pennsylvania State Grange, of Erie, Pa., indorsing bill H. R. 8678—to the Committee on Agriculture.

By Mr. SLAYDEN: Paper to accompany bill for the relief of Samuel E. Holland—to the Committee on Pensions.

Also, paper to accompany bill for relief of Harrison B. Free—to the Committee on Pensions.

By Mr. SOUTHARD: Petition of citizens of Lyons, Ohio, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. STEVENS of Minnesota: Petition of St. Paul Division, Brotherhood of Locomotive Engineers, favoring bill H. R. 13354—to the Committee on Military Affairs.

Also, petition of E. W. Bazill, of St. Paul, Minn., favoring bill H. R. 9302—to the Committee on Ways and Means.

By Mr. TIRRELL: Papers to accompany bill for the relief of Abram H. Bedell, of Waltham, Mass.—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: Petition of the Arkansas Retail Grocers and Merchants' Association, of Fort Smith, Ark., favoring enlarged powers for Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. WOOD: Paper to accompany bill for the relief of Anna M. Camp—to the Committee on Invalid Pensions.

SENATE.

SATURDAY, January 21, 1905.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. HANSBROUGH, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

SPREAD OF EPIDEMIC DISEASES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, requesting that there be added to an estimate heretofore submitted by him for preventing the introduction of and spread of epidemic diseases for the year 1906 a provision permitting the use of this appropriation for special inquiries into the cause of prevalence and spread of tuberculosis and typhoid fever; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

ELECTORAL VOTES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting the final ascertainment of electors for President and Vice-President for the State of Alabama; which, with the accompanying paper, was ordered to be filed.

CREDENTIALS.

The PRESIDENT pro tempore presented the credentials of EUGENE HALE, chosen by the legislature of the State of Maine a Senator from that State for the term beginning March 4, 1905; which were read and ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 4728) granting an increase of pension to William W. Smith.

The message also announced that the Speaker of the House had appointed Mr. GAINES of West Virginia and Mr. RUSSELL as the tellers of the House to count the electoral vote for President and Vice-President of the United States.

The message further announced that the House had passed a bill (H. R. 17473) making appropriation for the support of the Army for the fiscal year ending June 30, 1906; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

- S. 3076. An act granting a pension to Arthur W. Post;
- S. 3100. An act granting an increase of pension to Howard Wiley;
- S. 3232. An act granting an increase of pension to William O. Gould;
- S. 3239. An act granting an increase of pension to George W. D. Buchanan;
- S. 3246. An act to remove the charge of desertion from the name of Frederick W. Joslin;
- S. 3286. An act granting an increase of pension to Charles D. Creed;
- S. 3356. An act granting an increase of pension to Rebecca A. Teter;
- S. 3357. An act granting an increase of pension to Welcom B. French;
- S. 3390. An act granting a pension to Emily E. Cram;
- S. 3453. An act granting an increase of pension to David Whitney;
- S. 3482. An act granting an increase of pension to Alfred H. Le Fevre;

- S. 3522. An act granting an increase of pension to Samuel J. Dennison;
- S. 3624. An act granting an increase of pension to Peter D. Moore;
- S. 3755. An act granting an increase of pension to William H. Covert;
- S. 3774. An act granting an increase of pension to John C. Felton;
- S. 3906. An act granting an increase of pension to James H. Venier;
- S. 3935. An act granting an increase of pension to Mary Cornelia Hays Ross;
- S. 4002. An act granting an increase of pension to Susan E. Armitage;
- S. 4038. An act granting an increase of pension to George E. Yingling;
- S. 4070. An act granting an increase of pension to Andrew Fellentreter;
- S. 4103. An act granting an increase of pension to John W. Roullett;
- S. 4151. An act granting an increase of pension to Thomas J. Spencer;
- S. 4199. An act granting a pension to William Rufus Kelley;
- S. 4221. An act granting an increase of pension to Henry C. Stroman;
- S. 4273. An act granting an increase of pension to Frazie A. Campbell;
- S. 4382. An act granting an increase of pension to James B. Harvey;
- S. 4383. An act granting an increase of pension to Mary E. Penn;
- S. 4393. An act granting an increase of pension to Cora A. Baker;
- S. 4395. An act granting an increase of pension to Thomas H. Walker;
- S. 4408. An act granting an increase of pension to Robert N. Button;
- S. 4477. An act granting an increase of pension to John C. Craven;
- S. 4766. An act granting an increase of pension to Frederick Clark;
- S. 4767. An act granting an increase of pension to Henry Snidemiller;
- S. 4808. An act granting an increase of pension to John Worley;
- S. 4986. An act granting an increase of pension to Philo S. Bartow;
- S. 5120. An act granting an increase of pension to William H. Chamberlin;
- S. 5129. An act granting an increase of pension to Thompson Martin;
- S. 5190. An act granting an increase of pension to William Berry;
- S. 5206. An act granting an increase of pension to Lucy Jane Ball;
- S. 5214. An act granting an increase of pension to William P. Renfro;
- S. 5271. An act granting an increase of pension to Paul Diebitsch;
- S. 5297. An act granting an increase of pension to Jerry L. Grey;
- S. 5339. An act granting an increase of pension to Sidney B. Hamilton;
- S. 5345. An act granting an increase of pension to Thomas Coughlin;
- S. 5346. An act granting an increase of pension to Amon A. Webster;
- S. 5358. An act granting an increase of pension to Thomas Taylor;
- S. 5378. An act granting an increase of pension to John H. Ash;
- S. 5379. An act granting an increase of pension to Bird Salmon;
- S. 5427. An act granting an increase of pension to Ruhema C. Horsman;
- S. 5428. An act granting an increase of pension to Joseph J. Hedrick;
- S. 5445. An act granting an increase of pension to Caroline L. Guild;
- S. 5450. An act granting an increase of pension to George R. Lingenfelter;
- S. 5472. An act granting an increase of pension to Mary J. Weems;
- S. 5476. An act granting an increase of pension to Joel F. Howe;
- S. 5496. An act granting an increase of pension to Jesse L. Sanders;
- S. 5501. An act granting an increase of pension to Sarah A. Rowe;
- S. 5508. An act granting an increase of pension to Abraham B. Miller;
- S. 5512. An act granting an increase of pension to John W. Carleton;
- S. 5514. An act granting an increase of pension to Samuel S. Lamson;
- S. 5530. An act granting a pension to William R. Cahoon;
- S. 5531. An act granting an increase of pension to Catherine Jones;
- S. 5532. An act granting an increase of pension to Edwin A. Knight;
- S. 5535. An act granting an increase of pension to Alexander McConneha;
- S. 5558. An act granting an increase of pension to Susan C. Schroeder;
- S. 5572. An act granting an increase of pension to Alafir Chastain;
- S. 5574. An act granting an increase of pension to Calon Thomas;
- S. 5589. An act granting an increase of pension to Mary E. Burrell;
- S. 5661. An act granting an increase of pension to Daniel B. Bush;
- S. 5713. An act granting an increase of pension to Robert Crowther;
- S. 5714. An act granting an increase of pension to John McKenne;
- S. 5715. An act granting an increase of pension to Benjamin Bickford;
- S. 5716. An act granting an increase of pension to Dotha J. Whipple;
- S. 5733. An act granting an increase of pension to Monroe W. Wright;
- S. 5734. An act granting an increase of pension to George H. Woodbury;
- S. 5735. An act granting an increase of pension to Washington Lenhart;
- S. 5736. An act granting an increase of pension to Charles C. Gilbert;
- S. 5738. An act granting an increase of pension to Enoch Russell;
- S. 5739. An act granting an increase of pension to Adolphe Bessie;
- S. 5740. An act granting an increase of pension to Clemon Clooten;
- S. 5741. An act granting an increase of pension to Stephen Welch;
- S. 5742. An act granting an increase of pension to Nickles Dockendorf;
- S. 5743. An act granting an increase of pension to James Riordan;
- S. 5744. An act granting an increase of pension to Joseph A. Rhodes;
- S. 5745. An act granting an increase of pension to Mary M. Mitchell;
- S. 5746. An act granting an increase of pension to Anne Jones;
- S. 5758. An act granting an increase of pension to Sallie B. Weber;
- S. 5781. An act granting an increase of pension to John A. Steel;
- S. 5807. An act granting an increase of pension to Sarah J. F. Robinson;
- S. 5810. An act granting an increase of pension to Joseph Reber;
- S. 5811. An act granting an increase of pension to Franklin Waller;
- S. 5857. An act granting an increase of pension to James Bryson;
- S. 5858. An act granting an increase of pension to John Hubbard;
- S. 5859. An act granting an increase of pension to Henry Breslin;
- H. R. 9799. An act to remove charge of desertion from military record of John Dorsey; and
- S. R. 77. Joint resolution providing for the reappointment of James B. Angell on the Board of Regents of the Smithsonian Institution.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented the petition of Charles C. Garland, of Claremont, N. H., praying for the enactment of legis-

lation providing for the opening and improving of Massachusetts and Boundary avenues NW., in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the National Dental Association, of Memphis, Tenn., praying for the enactment of legislation providing for the appointment of thirty dental surgeons, with the rank of acting assistant surgeon, for service in the Navy; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation providing for the use of vessels of the United States for public purposes; which was ordered to lie on the table.

He also presented a petition of the Central Labor Union, American Federation of Labor, of Washington, D. C., praying for the enactment of legislation to regulate the employment of child labor in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the council of the Chickasaw Nation, praying that an appropriation be made for the relief of the schools of that nation; which was referred to the Committee on Appropriations.

He also presented a petition of the Central Labor Union, American Federation of Labor, of Washington, D. C., praying for the enactment of legislation providing compulsory education in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. BURNHAM presented a petition of Concord Lodge, No. 537, Brotherhood of Railroad Trainmen, of Concord, N. H., praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

He also presented a petition of the State Regent, Daughters of the American Revolution, of New Hampshire, praying for the enactment of legislation granting pensions to daughters of soldiers of the Revolutionary war; which was referred to the Committee on Pensions.

He also presented a petition of the faculty of Dartmouth College, N. H., praying for the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

He also presented a petition of the National Woman's Christian Temperance Union, of Washington, D. C., praying for the enactment of legislation providing for continued prohibition of the liquor traffic in the Indian Territory according to recent agreements with the Five Civilized Tribes; which was ordered to lie on the table.

He also presented a petition of the Women's Health Protective Association, of New York City, praying for the passage of the so-called "pure food bill;" which was ordered to lie on the table.

Mr. GAMBLE presented a petition of the Jewett Fruit and Fish Company, of Sioux Falls, S. Dak., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry citizens of Hornellsville, N. Y., remonstrating against the enactment of legislation providing for the closing on Sunday of certain places of business in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry army nurses, of Minneapolis, Minn., praying for the enactment of legislation to increase the pensions of army nurses; which was referred to the Committee on Pensions.

He also presented a petition of the Women's Health Protective Association of New York City, praying for the passage of the so-called "pure food bill;" which was ordered to lie on the table.

Mr. LONG presented petitions of sundry citizens of Chanute, Kans., praying for the enactment of legislation providing for the protection of the Indians against the liquor traffic in new States to be formed; which were ordered to lie on the table.

He also presented a petition of Long Division Lodge, No. 397, Brotherhood of Locomotive Firemen of Hoisington, Kans., praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Kansas State Board of Agriculture, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented sundry papers to accompany bill (S. 6729) for the relief of James A. Humphreys; which were referred to the Committee on Military Affairs.

Mr. KEAN presented petitions of the Retail Druggists' Association of Burlington, of Walter Huber, of Jersey City; of Henry P. Thorn, of Medford, and of James Foulke, of Jersey City, all in the State of New Jersey, praying for the enactment of legislation amending the patent laws relating to medicinal preparations; which were referred to the Committee on Patents.

He also presented memorials of James R. Morris, of Port Morris; of J. Pratt, of Jersey City; of Walter Palmer, of East Orange; of the Woman's Christian Temperance Union of Medford; of Robert Burch, of East Orange; of the Woman's Christian Temperance Union of Haddonfield, and of David O. Irving, of Orange, all in the State of New Jersey, remonstrating against the repeal of the present anticanteen law; which were referred to the Committee on Military Affairs.

Mr. DRYDEN presented a petition of Local Division No. 446, Order of Railway Conductors, of Atlantic City, N. J., praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the New Jersey Department of Army Nurses, praying for the enactment of legislation increasing the pensions of army nurses; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Christian Temperance Union of Hancocks Bridge, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Territory of Oklahoma when admitted to statehood; which was ordered to lie on the table.

He also presented a petition of the Cumberland Glass Manufacturing Company, of Bridgeton, N. J., and a petition of Oberlin Smith, president of the Ferracute Machine Company, of Bridgeton, N. J., praying for the enactment of a new trade-mark law; which were referred to the Committee on Patents.

He also presented petitions of Walter Huber, of Jersey City; of James Foulke, of Jersey City; of Charles Kuehue, of Jersey City, and of the Burlington County Retail Druggists' Association, all in the State of New Jersey, praying for the enactment of legislation to amend the patent laws relating to medicinal preparations; which were referred to the Committee on Patents.

He also presented a memorial of the Woman's Christian Temperance Union of Woodstown; of the Woman's Christian Temperance Union of Haddonfield; of the Young Woman's Christian Temperance Union of Clarksboro; of the Woman's Christian Temperance Union of Clarksboro; of sundry citizens of East Orange, Tuckertown, Port Norris, Atlantic Highlands, Lafayette, Jersey City, Ocean Grove, Princeton, Elwood, Chatham, Lumberton, Newark, Bloomfield, and Blairstown, all in the State of New Jersey, remonstrating against the repeal of the present anticanteen law; which were referred to the Committee on Military Affairs.

Mr. HEYBURN presented a petition of the Borough Improvement League, of Metuchen, N. J., praying for the passage of the so-called "pure food bill;" which was ordered to lie on the table.

Mr. PLATT of Connecticut presented a petition of New Haven Division, No. 77, Brotherhood of Locomotive Engineers, of New Haven, Conn., praying for the enactment of legislation granting pensions to locomotive engineers who served in the civil war; which was referred to the Committee on Pensions.

He also presented a petition of the Young People's Society of Christian Endeavor of the Baptist Church of Bristol, Conn., and a petition of the Young People's Society of Christian Endeavor of the First Congregational Church of New Britain, Conn., remonstrating against the repeal of the present anticanteen law; which were referred to the Committee on Military Affairs.

Mr. CULLOM presented a petition of Galesburg Lodge, No. 24, Brotherhood of Railroad Trainmen, of Galesburg, Ill., and a petition of Local Division No. 377, Order of Railway Conductors, of Joliet, Ill., praying for the passage of the so-called "employers' liability bill;" which were referred to the Committee on Interstate Commerce.

Mr. DOLLIVER presented a petition of the Woman's Christian Temperance Union of Clinton, Iowa, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a memorial of Local Union Cigar Makers' International Union, of Keokuk, Iowa, remonstrating against the enactment of legislation to reduce the duty on cigars and tobacco imported from the Philippine Islands; which was referred to the Committee on the Philippines.

He also presented a petition of Local Lodge No. 27, Brother-

hood of Locomotive Firemen, of Cedar Rapids, Iowa, praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

Mr. PATTERSON presented memorials of sundry citizens of Rio Grande County, Montevista, Clifton, and Grand Junction, all in the State of Colorado, remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

ALASKA GOVERNMENT BOARD.

Mr. DIETRICH presented a summary of arguments in support of the bill (S. 6383) to provide for an Alaska government board, and for other purposes; which was referred to the Committee on Territories.

ADDRESS BY LUCIUS TUTTLE.

Mr. GALLINGER. I present an extremely interesting address by Mr. Lucius Tuttle, president of the Boston and Maine Railroad, on questions now being considered relating to interstate commerce. I move that the address be printed as a document and referred to the Committee on Interstate Commerce. The motion was agreed to.

REPORTS OF A COMMITTEE.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 6584) to incorporate the trustees of the grand encampment of Knights Templar of the United States of America, reported it with amendments, and submitted a report thereon.

Mr. STEWART, from the Committee on the District of Columbia, to whom was referred the bill (S. 5937) to amend an act to regulate the height of buildings in the District of Columbia, reported it with amendments, and submitted a report thereon.

CONECUH RIVER BRIDGE IN ALABAMA.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 17577) authorizing the Lindsey Lumber Company, a corporation of Escambia County, Ala., to construct a bridge across Conecuh River at or near the town of Pollard, in said county and State, to report it favorably without amendment.

Mr. PETTUS. That is a House bridge bill. I ask consent that it be considered now.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DISPOSAL OF GARBAGE, ASHES, ETC.

Mr. HANSBROUGH. I am directed by the Committee on the District of Columbia to report back favorably without amendment the bill (H. R. 16802) to authorize the Commissioners of the District of Columbia to enter into contract for the collection and disposal of garbage, ashes, etc. The measure is somewhat pressing, and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 6242) authorizing the Commissioners of the District of Columbia to advertise for proposals and to enter into contract for the collection and disposal of garbage, and so forth, reported adversely thereon, and the bill was postponed indefinitely.

COMMITTEE ON INTERSTATE COMMERCE.

Mr. ELKINS, from the Committee on Interstate Commerce, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Interstate Commerce be authorized to sit during the sessions of the Senate.

OPINIONS IN JOHNSON v. SOUTHERN PACIFIC COMPANY.

Mr. ELKINS. I submit a resolution to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. The resolution will lie on the table until that order is reached.

The PRESIDENT pro tempore subsequently said: The resolution sent to the desk by the Senator from West Virginia [Mr. ELKINS] will now be read.

The Secretary read the resolution, as follows:

Resolved, That the Committee on Interstate Commerce is hereby authorized to procure from the publishers of the decisions of the Supreme Court of the United States 10,000 copies of opinions, abstract and argument, in the case of *Johnson v. Southern Pacific Company* (decided December 19, 1904), at a cost not to exceed \$150.

Mr. HALE. Mr. President—

The PRESIDENT pro tempore. The resolution of course contains no appropriation.

Mr. CULLOM. I do not see any use of the publication just now.

The PRESIDENT pro tempore. It would be entirely proper to refer it to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. CULLOM. Or to the Committee on Interstate Commerce.

Mr. KEAN. The Committee to Audit and Control the Contingent Expenses of the Senate can take care of it.

Mr. SPOONER. I suggest that it lie on the table until the Senator who introduced it is present.

The PRESIDENT pro tempore. The resolution will go over on objection.

Mr. ELKINS subsequently modified the resolution by adding thereto the words "to be paid from the contingent fund of the Senate;" and, on his motion, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

COMMISSIONS OR REBATES ON FREIGHT.

Mr. GALLINGER. Manifestly by inadvertence the bill (S. 6709) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and to further prevent the payment of commissions or rebates on freight, was referred to the Committee on Commerce. It belongs to the Committee on Interstate Commerce. I move that the Committee on Commerce be discharged from the further consideration of the bill, and that it be referred to the Committee on Interstate Commerce.

The motion was agreed to.

BILLS INTRODUCED.

Mr. DRYDEN introduced a bill (S. 6747) to amend section 602 of an act entitled "An act to establish a code of law for the District of Columbia," as amended; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. ALDRICH introduced a bill (S. 6748) granting an increase of pension to James Shaw; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 6749) granting an increase of pension to Alfred Diehl; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 6750) granting an increase of pension to James McEntire; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 6751) for the relief of Nancy C. Thompson; which was read twice by its title, and referred to the Committee on Claims.

Mr. GORMAN introduced a bill (S. 6752) for the relief of the vestry of St. Paul's Protestant Episcopal Church, situated near Point of Rocks, Md.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 6753) to amend the code of the District of Columbia, regarding corporations; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GIBSON introduced a bill (S. 6754) for the relief of the estate of James W. Mardis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. LONG introduced a bill (S. 6755) for the relief of Joseph Disney; which was read twice by its title, and referred to the Committee on Claims.

Mr. HANSBROUGH introduced a bill (S. 6756) to amend section 10 of an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes," approved May 28, 1896; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 6757) to amend section 2288 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GALLINGER introduced a bill (S. 6758) to close and open an alley in square No. 806, in the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 6759) to license chimney sweeps in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. TALIAFERRO introduced a bill (S. 6760) granting a pension to Florence Greeley De Veaux; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 6761) making an appropriation and providing for the construction of a United States revenue cutter for service in the harbor of San Francisco, State of California; which was read twice by its title, and referred to the Committee on Commerce.

Mr. DIETRICH introduced a bill (S. 6762) granting an increase of pension to David Wertz; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCOMAS introduced a bill (S. 6763) for the relief of Francis A. Lacy, heir of William B. Lacy; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 6764) granting an increase of pension to Sarah A. Petherbridge (with accompanying papers);

A bill (S. 6765) granting an increase of pension to Cammiller R. Cassell (with an accompanying paper);

A bill (S. 6766) granting an increase of pension to Aquilla B. Lynn; and

A bill (S. 6767) granting an increase of pension to W. H. Staubs (with accompanying papers).

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Claims:

A bill (S. 6768) for the relief of the estate of Joseph Brooks, deceased;

A bill (S. 6769) for the relief of the estate of J. J. Brison, deceased;

A bill (S. 6770) for the relief of F. A. R. Scott;

A bill (S. 6771) for the relief of the estate of W. A. Rawlings, deceased;

A bill (S. 6772) for the relief of the estate of William Stidham, deceased;

A bill (S. 6773) for the relief of the estate of John S. Burrows, deceased;

A bill (S. 6774) for the relief of the estate of John W. Hester, deceased;

A bill (S. 6775) for the relief of S. R. McAlexander;

A bill (S. 6776) for the relief of the estate of Benjamin F. Myers, deceased;

A bill (S. 6777) for the relief of the estate of Hudson Muse, deceased;

A bill (S. 6778) for the relief of the estate of Aulsey Dean, deceased;

A bill (S. 6779) for the relief of Abner Ogles;

A bill (S. 6780) for the relief of the estate of John Sanford, deceased;

A bill (S. 6781) for the relief of the heirs of William Pepper, deceased;

A bill (S. 6782) for the relief of the estate of Mrs. Elizabeth McClure, deceased;

A bill (S. 6783) for the relief of the heirs of Hugh McGavock, deceased;

A bill (S. 6784) for the relief of Mary Kincannon;

A bill (S. 6785) for the relief of Joseph B. Johnson;

A bill (S. 6786) for the relief of the estate of James F. Phillips, deceased;

A bill (S. 6787) for the relief of the estate of George W. Reeves, deceased;

A bill (S. 6788) for the relief of the estate of Walter W. Melton, deceased;

A bill (S. 6789) for the relief of the estate of John Heathcock, deceased;

A bill (S. 6790) for the relief of Nathaniel R. Carson and William C. Carson;

A bill (S. 6791) for the relief of the estate of Benjamin D. Gates, deceased;

A bill (S. 6792) for the relief of the estate of Harriet G. Woods, deceased;

A bill (S. 6793) for the relief of the estate of D. C. Wells, deceased;

A bill (S. 6794) for the relief of the Baptist Church of Grand Junction, Hardeman County, Tenn.; and

A bill (S. 6795) for the relief of John B. Warren.

Mr. FRYE introduced a bill (S. 6796) granting an increase of pension to George E. Brickett; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ALDRICH submitted an amendment proposing to appropriate \$1,500 for salary of consul at Colonia, Uruguay, intended to be proposed by him to the diplomatic and consular appropria-

tion bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. GAMBLE submitted an amendment proposing to appropriate \$200,000 out of the arrears of pay and bounty which were in the hands of the commissioners of the Freedmen's Bureau and have been repaid into the Treasury, to build in the District of Columbia a memorial national home in honor of deceased colored soldiers of the civil war, etc., intended to be proposed by him to the army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

AMENDMENTS TO STATEHOOD BILL.

Mr. DOLLIVER submitted three amendments intended to be proposed by him to the bill (H. R. 14749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States; which were ordered to lie on the table, and be printed.

Mr. PATTERSON submitted two amendments intended to be proposed by him to the bill (H. R. 14749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States; which were ordered to lie on the table, and be printed.

STOCKHOLDERS OF RAILWAYS.

Mr. STEWART. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved, That the Interstate Commerce Commission be directed to transmit to the Senate a statement showing for each railway reporting to the Commission the number of stockholders of record on June 30, 1904.

Mr. GALLINGER. Let the resolution go over.

Mr. STEWART. I find that this can be done without any difficulty.

The PRESIDENT pro tempore. Objection being made, the resolution goes over under the rule.

ELIMINATION OF GRADE CROSSINGS.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 6422) to amend an act approved February 12, 1901, entitled "An act to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company, in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes." There are special reasons why it is important that the bill should be passed at an early day.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILL REFERRED.

H. R. 17473. An act making appropriation for the support of the Army for the fiscal year ending June 30, 1906, was read twice by its title, and referred to the Committee on Military Affairs.

STATUE OF JOHN J. INGALLS.

The PRESIDENT pro tempore. By a resolution of the Senate exercises appropriate to the reception and acceptance of the statue of John J. Ingalls were assigned to take place immediately after the completion of the routine business to-day. The routine business is completed.

Mr. LONG. Mr. President, I request that the following letter from the governor of Kansas may be read.

The PRESIDENT pro tempore. The Senator from Kansas asks that a letter from the governor of Kansas may be read. The Chair hears no objection, and it will be read.

The Secretary read as follows:

STATE OF KANSAS, EXECUTIVE DEPARTMENT,

Topeka, January 17, 1905.

To the Senate and House of Representatives, Washington, D. C.:

Among the many distinguished men whose fame has honored the State of Kansas, the life of no one has added greater luster to its history than the life of John James Ingalls. His name is indelibly inscribed upon the most brilliant pages of the State's history. Grateful for his eminent

services and proud of his great achievements, the State legislature two years ago made an appropriation for the purchase of a suitable statue as a tribute to his memory, to be reared in Statuary Hall, where Congress conferred upon his people the rare honor of providing a place for it. This beautiful and precious piece of statuary is now ready for formal acceptance by the Government, and in behalf of the legislature of Kansas and of the people they and I represent, I have the great honor and pleasure of presenting it to the people of the United States and their representatives in Congress assembled.

[SEAL.]

E. W. HOCH, Governor.

Mr. LONG. Mr. President, I submit the following concurrent resolution.

The PRESIDENT pro tempore. The Senator from Kansas offers a concurrent resolution, which will be read.

The Secretary read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of John J. Ingalls, presented by the State of Kansas to be placed in Statuary Hall, is accepted in the name of the United States, and that the thanks of Congress be tendered the State for the contribution of the statue of one of its most eminent citizens, illustrious for his distinguished civic services.

Second. That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the governor of the State of Kansas.

Mr. LONG. Mr. President, twenty-seven years ago, in an address delivered at the dedication of a monument to John Brown, John J. Ingalls said:

The old Hall of the House of Representatives in the Capitol at Washington, which is consecrated by the genius, the wisdom, and the patriotism of the statesmen of the first century of American history, has been designated by Congress as a National Gallery of Statuary, to which each State is invited to contribute two bronze or marble statues of her citizens illustrious for their historic renown or for distinguished civic and military services. It will be long before this silent congregation is complete. With tardy footsteps they slowly ascend their pedestals; voiceless orators, whose stony eloquence will salute and inspire the generations of freemen to come; bronze warriors, whose unsheathed swords seem yet to direct the onset, and whose command will pass from century to century, inspiring an unbroken line of heroes to guard with ceaseless care the heritage their valor won.

He then urged the people of Kansas to place the statue of John Brown in Statuary Hall. This suggestion was never adopted, but instead the State has just made its first contribution to the Hall in the statue of John J. Ingalls.

One week from to-morrow Kansas will have been a State forty-four years. During that time, and in the stormy period preceding its admission, many illustrious and patriotic citizens did service for the State and the nation. Many deserve this recognition, which only a State can give, but it is a significant fact that while the names of other citizens have been mentioned as entitled to this honor, yet within three years from his death the legislature authorized his statue to be procured and placed in Statuary Hall. Why was this done so quickly when his own suggestion to place John Brown there had not been approved? He served in this Chamber eighteen years—from March 4, 1873, to March 4, 1891. His election to the Senate was unexpected. "Opportunity" knocked at his gate, and he was made a candidate in a night. He was elected the next day. His retention here, however, was not by chance, but was due to the pride of the State in its being the fortunate possessor of a Senator who could always command the attention of the nation.

His service prior to his election was creditable, but not conspicuous, and his work after he left the Senate added only to his literary fame. It was what he did here which fixed his place in history and caused the people of Kansas to proceed with pardonable alacrity to select him as the State's first representative in Statuary Hall.

He was the greatest orator our State has produced. While he lived he was our most noted citizen. In literature he had no peer in the State, and but few in the country. His career in the Senate was longer than that of any other Senator from Kansas.

He was President pro tempore of the Senate for several years, and the late Senator Hoar said that he was the best presiding officer he had ever known for conducting the business of the Senate.

There are now only eighteen Senators who served with Senator Ingalls. They can speak of the worth of his services and what he did here which deserves remembrance. I observed him from the State, and learned to know and to admire him before I ever saw his face.

In the discussion of questions growing out of the rebellion war and in the personal debates he was always heard with pleasure by the Senate and by listening galleries, to the great delight of his constituents and friends at home. Those who served with him know his powers of invective and his skill in debate.

In the zenith of his fame he never wanted for an audience, either on this floor or in the galleries. The House of Representatives was often left without a quorum and this Chamber was filled to overflowing by its Members who wished to hear what he had to say. They were never disappointed, for he was always interesting and entertaining in public and private speech.

And then the end came. Kansas had been very prosperous and speculation was rife throughout the State. Railroads had been built where there was no traffic and towns had been laid out where there were no people. The farm was mortgaged for more than its value. Everybody was in debt. When pay day came the crops had failed. There was nothing with which to meet the obligations. Discontent took the place of contentment. When failures come we always endeavor to fix the responsibility on some one other than ourselves. The farmers organized, and in Kansas the farmers control the State when they wish to do so. They decided that there was something wrong in Washington and that legislation had been enacted which was against their interests. They believed that crimes had been committed here, and, as Ingalls was Senator when they were done, he was held responsible. He desired reelection. The time was ripe for revolt. The cry was raised, "What has Ingalls done for Kansas?" It was difficult to say, except that he had always successfully defended the State and its people against all attacks made here or elsewhere. He had always spoken and voted for all laws which had been passed for the benefit of ex-Union soldiers. He had charmed and entranced audiences with his impressive language and forceful oratory. He had assisted in the settlement of many great questions, but in finance and the tariff he had not been conspicuous. When those questions were up in the Senate he was usually silent, and those questions were paramount in the State at that time. A victim was desired; a sacrifice was demanded. He was in the pathway of the cyclone and was swept before it. When the election was over it was known that his party did not have a majority in the joint assembly. It was hoped, however, that many of his old friends and supporters who had acted with the new party which had been organized would relent at the last moment and assist in returning him to the Senate. For this reason hope was not entirely abandoned and it was believed that in the joint assembly there might yet be a chance for his reelection.

I was a member of the State senate and voted for him in caucus and in the joint assembly. I was intensely interested in his success and greatly disturbed at his probable defeat. Hope was not finally abandoned until the vote was taken. I was in his room at a hotel in Topeka when it was all over and another had been elected. He undoubtedly felt keenly the loss of a seat in this body, but he maintained a resolute and confident demeanor, which did not in the least show regret or despondency. We all knew how much he thought of the Senate of the United States and how highly he prized his membership in it. He often said that no other post in the Government compared in power and dignity with a seat in the Senate. No other position could have lured him from this body, which he loved so well. He believed that a Senator of the United States held a more desirable position than any other official. So it was that when his fame was greatest and his position seemingly most secure the end came and he retired to private life. His friends and supporters all knew that he looked forward to the time when he might again occupy a seat in this Chamber, but he made but one effort to secure it, and when that campaign ended in the defeat of his party he gave up all hope of again entering the public service.

I shall never forget the last time I heard him speak. It was near the little town of Halstead, Kans., at an open-air political meeting. The rain fell continuously during his address. He was partially protected by a canvas, while his audience sat with raised umbrellas, which almost hid their faces from the speaker. These uncomfortable surroundings did not seem to disturb him in the least. He spoke with the same fascination of manner and elegance of diction that had so often charmed audiences in this Chamber.

During the last years of his life no other speaker could draw audiences so large or entertain them so well as John J. Ingalls.

It was in those days of retirement that he did a thing which, alone, would give him fame as long as the English tongue is spoken, even though he had never made a speech or written another line during his entire lifetime. He wrote—

OPPORTUNITY.

Master of human destinies am I!
Fame, love, and fortune on my footsteps wait.
Cities and fields I walk; I penetrate
Deserts and seas remote, and passing by
Hovel and mart and palace, soon or late
I knock unbidden once at every gate!
If sleeping, wake; if feasting, rise before
I turn away. It is the hour of fate,
And they who follow me reach every state
Mortals desire, and conquer every foe
Save death; but those who doubt or hesitate,
Condemned to failure, penury, and woe,
Seek me in vain and uselessly implore.
I answer not, and I return no more!

But as the political end had come, so at last came the end of life. For several years his health had been failing, and under the advice of his physicians he left his home in Kansas and went to the mountains of New Mexico, hoping there to find relief from the fatal disease. It was not so to be, and on August 16, 1900, with only his faithful wife by his bedside, he breathed his last and went to the undiscovered country.

And then, as if in some measure to atone for the injustice they had done him, the people of Kansas provided that his marble statue should stand forever in the hall near this Chamber in which his great work was done. Past political affiliations were forgotten when the resolution was passed. In the legislature were some who had belonged to the party which was organized to retire him from public life. They joined his old friends and supporters in preserving his stately and imposing figure in the Capitol of the nation, and to-day Kansas will be gratified to know that while the voice of John J. Ingalls will be heard no more, yet, in cold marble, but in striking and perfect likeness, he has ascended his pedestal in the old Hall of the House of Representatives, there to remain for all future time as a worthy and fitting contribution to that historic assemblage.

Mr. ALLISON. Mr. President, these proceedings involve the presentation by the State of Kansas to the United States of a marble statue of the late John James Ingalls, a citizen of that State. They also involve the formal acceptance of that statue by the Congress of the United States, in pursuance of provisions of the Revised Statutes, derived from a law approved July 2, 1864.

At the time of the passage of that act the work on the present Capitol building was nearing completion, it having continued without interruption during the stress and strain of the civil war. The new Hall of the House of Representatives was then occupied, having been completed some years before. The old hall was therefore no longer needed for, nor was it adapted to, legislative purposes.

Various projects were suggested for the utilization of the old hall thus vacated, when the late Senator Morrill, of Vermont, then a distinguished Member of the other House, presented a plan for its use which, with some modifications, was finally agreed to, and is now embodied in section 1814 of the Revised Statutes, as follows:

The President is authorized to invite all the States to provide and furnish statues, in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof and illustrious for their historic renown or for distinguished civic or military services, such as each State may deem to be worthy of this national commemoration; and when so furnished the same shall be placed in the old hall of the House of Representatives, in the Capitol of the United States, which is set apart, or so much thereof as may be necessary, as a National Statuary Hall for the purpose herein indicated.

Mr. Morrill gave various reasons why this hall should be thus dedicated, but as the primal reason that "it afforded an opportunity to all the States of the Union to select from their citizens the most distinguished in the service of their State or of the nation."

After the passage of the law the hall was prepared for the reception of such statues, and from that time until the present it has been dedicated wholly to that purpose.

It was easy for the thirteen original States, and for the States admitted into the Union soon after the beginning of the last century, to select eminent men as their representatives. The newer States were and are more restricted in the opportunity to select from their citizens eminent historical characters. They have a narrower field for the selection of persons "illustrious for historic renown or for their distinguished civic or military services," although each of them could make selections eminently worthy of this national commemoration.

A journey to this memorial hall will disclose that the older States have largely selected men distinguished for their eminent service to their country before, during, and immediately following the Revolutionary period, thus recognizing that the spirit of the law requires that the selection shall be made at a period so remote from that in which those representatives lived that the antagonisms, prejudices, and contentions of the active periods of their lives will have passed away, and when those making the selection could impartially pass upon their work as entitling them especially for this distinction.

In this spirit we find placed in that hall statues of Roger Sherman and Jonathan Trumbull, John Winthrop and Samuel Adams, John Starke and Daniel Webster, Daniel Greene and Roger Williams, Robert Livingston and George Clinton, Charles Carroll and Robert Fulton, and others equally "illustrious for their historic renown or for distinguished civic or military services."

Great care has been taken by the several States in the selec-

tions already made to choose their most eminent sons. Such care should be taken, and doubtless will be, in making future selections. This appears from the fact that although more than forty years have passed since the dedication of this hall, twenty-six States are still without any representation, and five other States are only partially represented. Time in this respect is not important, as with added years in the history of any State the list from which to make selection will be constantly enlarged. Doubtless in the march of events situations will arise of the highest moment, disclosing great characters worthy of a place in this carefully chosen galaxy.

No State under this act can have more than two representatives, and the situation and surroundings are such that it will be impossible by future legislation to add to the number. It is wise and fitting, therefore, that each State should exercise the utmost care and wisdom in making its selections, as what is thus done can not be undone.

Of the States west of the Mississippi River, only Missouri and Texas have made such selection, and Kansas, through her legislature, now presents to Congress, for its acceptance, the statue of John James Ingalls, a citizen of that State, properly reserving for the future the additional representative statue. This is a fitting thing to be done; and it is most gratifying to me to know that this selection was made by practically the unanimous voice of the people of the State.

Kansas was admitted as a State into the Union forty-four years ago, having been made a Territory under the act of Congress passed May 30, 1854, when the Missouri Compromise, so called, was repealed.

Following that repeal, this Territory at once became the theater of political activity by two contending forces; one seeking to make it a free State, the other to make it a slave State. This strife continued for several years, and was so great that, virtually, civil war prevailed in many parts of the Territory, requiring troops of the United States to be sent there to preserve the peace and to suppress disorder.

The conditions prevailing there excited the whole country. Political parties were actively arrayed against each other in sympathy with one side or the other of the question of the extension or the restriction of slavery, which was the all-absorbing question during the campaign of 1860 for President and Vice-President. This was the last struggle on this momentous question before the civil war.

Two constitutions were framed by two different conventions. One of these was submitted to Congress and rejected; when an enabling act was passed submitting the whole question to all the people of Kansas. This resulted in the approval of what was known as the "Wyandotte constitution," under which the Territory was admitted as a State in January, 1861.

The scene of this conflict was far away from the densely settled portions of the country, and was difficult of access, there being practically no railways at that time west of the Mississippi River. A journey by water was slow and uncertain. A journey by wagon was over boundless prairies, with only here and there a wagon road.

The people of the State of Massachusetts took a deep interest in this struggle and many of her sons migrated to the Territory. One of these, John James Ingalls, a graduate of Williams College, who had been admitted to the bar of Massachusetts, impelled, doubtless somewhat by a spirit of adventure and more by an ambition to take part in the affairs of this newly projected State, at the age of 25 found his way by a long and somewhat difficult journey by river, rail, and wagon into this new country and into the very midst of its contentions and struggles. He took the side of the sons of his native State in the controversy, and soon became a conspicuous factor in the affairs of the Territory; was made a member of the constitutional convention for the formation of the State and participated actively in its deliberations. His ability and force were soon recognized, and a friendly biographer records that the constitution itself bears the impress of his intellect and knowledge in much of its phraseology. The care taken in its preparation and its adaptation to the affairs of this new State is shown by the fact that this constitution, with a few amendments, has stood the test of forty-four years without material change.

After the admission of the State into the Union Mr. Ingalls was elected and for several years served as a member of the State senate, where he was active in framing laws necessary for the new State.

These early services rendered to the Territory of Kansas and subsequently to the State doubtless exerted a very great influence on the legislature, which selected him in 1873 as a fit person to represent the State in the United States Senate, and this also was undoubtedly a factor in his selection as a suitable person to be represented in marble in this National Hall as a

leader of conspicuous ability in the early struggles of that State for the establishment of a free government.

The legislature of Kansas in 1873 selected him to succeed to the seat of Senator Pomeroy in the Senate. Although not a candidate he was chosen with unanimity by the legislature as a Senator in this body. He took the oath of office on the 4th of March, 1873. He was twice reelected, and served in this body for eighteen consecutive years. That he served with great ability and with credit to his State and to his country during this long period is well attested by the records of the Senate.

He was an intense lover of his State. He was vigorous in support of its interests here and of all important measures looking to the development of that portion of our country lying west of the Mississippi River.

Early in his service he was assigned to important committees and made chairman of the Committee on the District of Columbia. He was also made a member of the Committee on Indian Affairs and of the Committee on Rules. Later he was assigned to the Committee on the Judiciary, all of which positions he held until the end of his last term of service.

He participated actively in the preparation of many important public measures referred to the committees of which he was a member and in securing their passage through the Senate.

He was frequently selected by order of the Senate to perform special services of importance. He was one of the tellers on the part of the Senate in the celebrated electoral count of 1877, which lasted from the first Wednesday in February until the morning of the day preceding the inauguration of President Hayes.

He took an active part in the general debates of the Senate, warmly advocating measures approved by him and with equal warmth severely criticising measures that did not meet his approval.

He was regarded as one of the most effective debaters on the floor of the Senate. Always cool and collected and having full information on the subjects he discussed, he was formidable on the floor. He had a facility of expression rarely equaled and a keen sense of humor. He was a master of invective and often indulged in telling and biting sarcasm. He was not only an effective debater, but he was distinguished as a fascinating and persuasive orator. It can be said of him, as it can be said at any time of but few members of the Senate, that when he was to speak the galleries were full. It was enough to say that "Ingalls is to speak to-day" to attract a large and appreciative audience not only in the galleries, but from the House and in the seats on the Senate floor.

For such extended speeches upon any particular subject he made careful and painstaking preparation, even to the precise phraseology employed.

I should say that his greatest accomplishment was his command of language and his ability to use it in public debate.

He often presided as President of the Senate. He was elected permanent President pro tempore, as we term it, in December, 1887, and continuously presided as such until March 4, 1889. He was one of the ablest and most satisfactory presiding officers certainly during my experience here.

The State of Kansas has been Republican practically from the time of its admission into the Union until the present. In 1872, however, there was what might be called a rebellion within the party against those who had been conspicuous among its leaders in Congress, and Senator Ingalls was elected by general consent of the party in the State to the Senatorial seat, which he continuously occupied until his retirement in 1891. He was twice reelected without opposition, and would probably have remained in the Senate up to the time of his death but for the fact that in 1890 a political revolution occurred in the State against the Republican party, placing it in the minority in the legislature, when the opposition united in selecting Mr. Peffer as his successor. The revolution, however, which resulted in his defeat was political and not personal.

Senator Ingalls was a lover of the best literature. He wrote many celebrated articles on public affairs and many of a purely literary character. His poem on "Opportunity," which has just been read, is a gem sufficient in itself to immortalize its author.

Thus it is that John James Ingalls is illustrious for his historic renown as well as for his distinguished civic services, and is worthy of national commemoration by the State of Kansas. It is fitting therefore that his statue in marble should be accepted by Congress and placed in National Statuary Hall.

It was my fortune to enter the Senate on the same day with Senator Ingalls and to serve with him during the entire period of his service. With the exception of two years, I had a seat

next to him in this Chamber. Our relations were the most cordial during all that time. I esteemed and valued him for his many kindly and genial personal qualities, as well as for his great ability, and no one regretted more than I the political change in the State which made it necessary for him to retire from the activities of the Senate.

Mr. COCKRELL. Mr. President, the statute of the United States of July 2, 1864, authorized the President—

To invite all the States to provide and furnish statues in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof and illustrious for their historic renown or for distinguished civic or military services, such as each State may deem to be worthy of this national commemoration; and when so furnished the same shall be placed in the old Hall of the House of Representatives in the Capitol of the United States, which is set apart, or so much thereof as may be necessary, as a National Statuary Hall for the purpose herein indicated.

This law dedicates the beautiful chamber, the old Hall of the House of Representatives in this Capitol, as a gallery for the marble or bronze statues of not exceeding two deceased persons for each State who have been citizens thereof and illustrious for their historic renown or for distinguished civic or military services, such as each State may deem to be worthy of such commemoration, and leaves the selection to the absolute discretion of each State. It is an appropriate and wise provision. The State of Kansas in providing and furnishing the marble statue of John James Ingalls as one of the two deceased persons for that State deemed worthy of national commemoration has chosen appropriately and wisely. As one of the Senators in this Chamber from the State of Missouri, adjoining and bordering the State of Kansas on its entire eastern line, I take great pleasure in favoring the adoption of the pending resolution and the acceptance of the statue of John James Ingalls to be placed in the National Statuary Hall in this Capitol.

John James Ingalls was born in the town of Middleton, in Essex County, in the State of Massachusetts, on December 29, 1833. His original ancestor on his father's side was Edmund Ingalls, or, as then written, Ingall, who came from West England in 1628 and founded the city of Lynn, in Essex County, Mass. His father, Elias T. Ingalls, of Haverhill, Mass., was a typical New Englander—devout, austere, scholarly, intended for one of the learned professions.

His original ancestor on his mother's side was Aquila Chase, who settled in 1630 in New Hampshire. His mother was Eliza Chase. On both sides he came from an unbroken strain of Puritan blood without intermixture. He was the oldest of nine children, was educated in the public schools until he was 16, and then continued his studies preparatory for college under a private tutor.

He entered Williams College at Williamstown, Mass., in September, 1851, and graduated in 1855. His boldness of character was clearly foreshadowed in his college course.

In his graduating oration on "Mummy life," he inserted a scathing review of his college faculty, which they cut out when they revised his production prior to delivery.

Notwithstanding this, in his delivery he spoke all they had cut out and paid his respects to the faculty in trenchant criticism.

For this offense his diploma was withheld until 1864. However, twenty years after granting his diploma, his alma mater honored him with the degree of doctor of laws.

After his graduation he studied law and was admitted to the bar in 1857, and removed to Kansas, then a Territory, in 1858, and located at Atchison.

He was a delegate to the Wyandotte constitutional convention in 1859, secretary of the Territorial council in 1860, secretary of the State senate in 1861, the first session after the admission of the Territory as a State in the Union.

During the session the question of a design for the great seal of the State came up. I quote from his own statement in regard to it:

I suggested a sketch embracing a single star rising from the clouds at the base of a field, with the constellation (representing the number of States then in the Union) above, accompanied by the motto, "Ad astra per aspera." The clouds at the base were intended to represent the perils and troubles of our Territorial history; the star emerging therefrom the new State; the constellation, like that on the flag, the Union, to which after a stormy struggle it had been admitted.

Additions were made to this proposed design which Mr. Ingalls always thought destroyed the beauty and simplicity of his design.

He was a member of the State senate of Kansas from Atchison County in 1862; was major, lieutenant-colonel, and judge-advocate, Kansas Volunteers, 1863 to 1865, and was editor of the Atchison Champion in 1863, 1864, and 1865, and was the anti-Lane candidate for lieutenant-governor in 1862 and again in 1864, and was defeated each time. He was elected to the

United States Senate as a Republican to succeed Senator S. C. Pomeroy, Republican, and took his seat March 4, 1873, and was subsequently twice reelected and served in this Chamber from March 4, 1873, to March 3, 1891, eighteen years, continuous service.

Prior to 1873 he devoted much time to literary work, much of which was in praise of his adopted State, clearly manifesting an admiration and love for his State and people.

He wrote a series of brilliant articles for magazines descriptive of Western life and adventure, which won for him a national reputation on account of his classical style, incisive method, and a luxuriant wealth of words.

His oft-quoted estimate of President Lincoln shows clearly his epigrammatic style.

Abraham Lincoln, the greatest leader of all, had the humblest origin and scantiest scholarship. Yet he surpassed all orators in eloquence, all diplomats in wisdom, all statesmen in foresight, and the most ambitious in fame.

His command of language was most remarkable. His sparkling words seemed to come to him easily and naturally in conversation, in public speaking, and in writing, and few men equaled him in the correct and scholarly command of the English language.

As an orator he was eloquent and interesting, and his powers of expression attained their highest development.

In his memorial address on Representative James N. Burnes, of Missouri, he said:

In the democracy of the dead all men at last are equal. There is neither rank, station, nor prerogative in the republic of the grave. At this fatal threshold the philosopher ceases to be wise and the song of the poet is silent. Dives relinquishes his millions and Lazarus his rags. The poor man is as rich as the richest and the rich man as poor as the pauper. The creditor loses his usury and the debtor is acquitted of his obligation. There the proud man surrenders his dignities, the politician his honors, the worldling his pleasures, the invalid needs no physician, and the laborer rests from unrequited toil. Here at last is Nature's final decree in equity. * * * The strongest there has no supremacy and the weakest needs no defense. The mightiest captain succumbs to the invincible adversary, who disarms alike the victor and the vanquished.

In political discussions he was a partisan and was drastic in his language.

He served on many important committees of the Senate and was attentive to his duties. After the death of Vice-President Hendricks he was chosen President pro tempore of the Senate, and was a most efficient presiding officer, eminently able, courteous, dignified, and absolutely impartial, and never manifested any partisan actions.

My first personal acquaintance with Senator Ingalls was in March, 1875.

In a very friendly and cordial manner he introduced himself to me, and we became and remained personal friends during his eighteen years in this Chamber.

During his eighteen years' service in this body there was never a breath of suspicion or doubt about his absolute personal and Senatorial integrity.

John James Ingalls is doubtless the most distinguished statesman, the most brilliant orator, and the most versatile and classic writer among the many able men the State of Kansas has produced. The State of Kansas and the good people of the State have honored the State and themselves in providing and furnishing the statue in commemoration of John J. Ingalls for the Statuary Hall, in this Capitol.

Mr. PLATT of Connecticut. Mr. President, in nature it often happens that a tree or plant transferred from its native soil to some far-away region attains a stronger, healthier, more vigorous and perfect growth than it would have enjoyed in its original locality. New soil, new cultivation, and the different air and sunshine seem to supply elements of growth and development lacking in its first environment. If a fruit-bearing tree, its fruit acquires a superior flavor. If a flowering plant, its blossom takes on a new beauty, not that the character of the tree or plant is radically changed, but its natural characteristics and qualities are accentuated by something derived from its new locality, to its vast improvement. There is nothing in nature more curious and instructive than the change for the better which so frequently comes from transplanting. As in the natural world, so in the mental and moral world, there is nothing more curious or marked in human civilization than the change which has come to men in consequence of their migration. The impulse to seek a new home in what is hoped to be a better country has altered the map of the world and done much to perfect the civilization of mankind.

At this hour the Senate, in which all the States are represented, joins with Kansas in paying its tribute of admiration and respect to the most prominent and illustrious citizen of that State, now, alas! departed, whose statue is henceforth to occupy a pedestal in our National Statuary Hall.

A New England boy, of Puritan ancestry, nurtured by a New England mother in a New England home, graduated at a New England college, admitted to practice as a New England lawyer, turned in his youth to what was then the far West, to take on new growth, acquire new power and strength, to become foremost in the building of a new State, to be honored while yet in his early manhood as its representative in the Senate of the United States, there for eighteen years to make his mark on the policies and destinies of the Republic—this in a word is the condensed life history of ex-Senator John J. Ingalls.

It is the old story over again. Perhaps there is no better illustration in all our history of the growth in power and influence of a man in consequence of his migration from the settled habits and institutions of the East to the new and undeveloped regions of the West. Had the boy Ingalls remained in Massachusetts he would probably never have been a representative of that State either in the Senate or the House. His whole life work would have been along different lines, and though he could never have been inconspicuous, he would doubtless never have left a lasting impression upon the history of our country. He gave no early promise of particular interest in public affairs; no indication that statecraft would be with him a favorite pursuit. In his boyhood and young manhood his tastes were scholarly and literary.

Remaining in New England, he would unquestionably have been distinguished as an author, a poet, a critic, a historian, rather than as an eminent lawyer or statesman. Once settled in Kansas, however, the gateway of preferment swung wide open to him. New thoughts, purposes, hopes, and aspirations took possession of him. His choice was well made. Territorial Kansas had been born in agony and baptized in blood. Within its borders the first great battle between human slavery and freedom had been fought—was, indeed, still in progress. It ended only at Appomattox. Ingalls had in him not only the Puritan spirit of liberty, but the ancestral warlike spirit of the Northmen. He was of the lineage of Thor. He had been taught to love freedom. He was ready to do battle for it. The bloody conflict in Kansas was over, but the peaceful, though no less acute, struggle was still on. A State which for a while seemed foredoomed to slavery was to be builded on the foundation of freedom.

Making his home in Kansas in 1858, we find Ingalls the next year a member of the Wyandotte convention, in which was framed the constitution upon which Kansas was to be admitted into the Union as a free State, and although practically a stranger in the growing Territory we find his worth and influence already recognized inasmuch that the new constitution was largely the result of his thought and his facile pen. Kansas, free and fearless, became the object of his intense love and devotion. Looking at his record, his part in constitution making and State building, these his earlier years seem to me the most significant. He became a noted Senator, and as such acquired a great reputation, but I doubt if in all his after life he ever rendered more valuable service to his State than when he helped to construct and so largely molded its original constitution, which, like that of the Republic, followed, and was the culmination of an intense, weary, and bloody struggle for liberty, and, like our National Constitution, was ordained to secure the blessings of liberty to the people of Kansas. The scholar, the poet, the dreamer, the word painter, found his higher and nobler work in State building. Ingalls was by nature a genius. The necessities and opportunities of his new life made him a practical statesman.

I first saw him when I came to the Senate in 1879. He had then been six years a Senator, and his name and fame had already filled the country. It was an able Senate. It comprised many Senators of great learning, ability, and influence, but I think I make no invidious comparison when I say that its three most conspicuous members, Senators most in the public eye, were Conkling, Blaine, and Ingalls, each a unique and forceful personality, and of these three Ingalls was by no means the least conspicuous or distinguished. Visitors to the Senate gallery wished to have first pointed out to them these three men, and took away more clearly impressed upon their mental vision the picture of Ingalls than of either Blaine or Conkling. He was indeed physically and mentally the most unique personality in the Senate. His strong individuality of face, his bearing, his incisive speech, his marvelous expression of ideas, attracted and fascinated all who saw and heard him. Few Senators have excelled him in scholarship; none I think in poetic temperament; and he was the peer of any in his knowledge of our history and ability in discussion.

Senatorial oratory was even then in its transition period. Studied, ornate, and classic eloquence was disappearing, giving place to precise and accurate statement and analysis. But Ingalls possessed oratorical power all his own—a fresh style of

oratory, perfect, effective, unmatched, either in remote or modern times. Neither Demosthenes nor Webster was a more complete orator than Ingalls. No other Senator attracted so many hearers or cast such a spell upon his listeners. So far as I have known the Senate, or read its history, I think no Senator has ever equaled Ingalls as a master of language. The words with which he clothed his thoughts may have been studied, but seemed to be spontaneously uttered; indeed, in the heat of debate, where formal preparation was impossible, his wonderful use of the English language was as striking as in his more elaborate speeches.

It was a delight to listen to him, and his perfect sentences, precise and beautiful rhetoric, will never be forgotten by any who heard him. He was not a mere phrase maker who conjured and juggled with words and forms of speech, but a logician, whose argument compelled attention and carried conviction. He was a fearless Senator. He never shunned a conflict; never retreated from an opponent. He said in a magazine article, I think, of ex-Senator Chandler, of Michigan, "His weapon was the butcher's cleaver and not the rapier." Ingalls's weapon was more like the rapier or scimitar. Senators will recall that scene in *The Talisman* where King Richard, just risen from a sick bed, with his two-handed sword severed a bar of iron, and Saladin with his scimitar divided the floating and flimsy veil of silk. Ingalls wielded the scimitar of Saladin rather than the sword of Richard, and the dexterity with which he handled it was a marvel to all.

During his service in the Senate he constantly gained in influence and power and as constantly grew in the estimation of his State. During all the eighteen years of his service, it is no disparagement of all the other able and strong men of Kansas to say that he was easily its most prominent and illustrious citizen. A son of New England, the man of Kansas. It was a strange and sad eccentricity of Kansas that relegated him to private life. It was the loss of the State rather than his own personal loss. He was as strong in defeat and in private life as he had been in his Senatorial career. His public life and services were indeed ended, but his nature was not soured nor embittered. All his love of the beautiful and true of the State of his adoption, all the poetry of his soul shone out more clearly than was possible while a Senator. He accepted his fate like a hero, knowing, I think, that the day would come when his State would do him yet higher honor and cherish for him a still higher regard. Whether he knew this or not, that time has come, and to-day the State honors him in death more than it ever did in life by placing his statue alongside those of the great and noble men whose lives have been so potential in molding the history and destiny of our Republic.

Mr. GORMAN. Mr. President, it is a privilege to pay tribute to the memory of John J. Ingalls. His was a colossal figure on the stage of our affairs. There may have been orators as eloquent, statesmen as wise, politicians as courageous, citizens as patriotic and devoted, but I recall few, if any, who, as orator, statesman, politician, and patriot, united in one person so many of these virtues and in such conspicuous manifestation.

He was a master of our language. He made of it a splendid yet a docile instrument. Logic, pathos, fascination, invective, and entreaty—these forces he employed at will and irresistibly.

His speech was clear, incisive, musical, and luminous. His arguments were always persuasive and enlightened, his motives transparently high and pure. His denunciations were terrible, his irony a blight. He hated deceit, hypocrisy, pretense, and cowardice. He laid a ruthless hand on treachery and meanness; he treated with his scorn the fawning knee. He loved his country with unbounded passion. He worshiped justice, candor, patriotism.

John J. Ingalls was a type of the noblest and most useful American citizenship. One of the thousands sent out of New England as teachers, pioneers, examples, inspirations, he took with him to desert places the culture and the purpose of a perfected civilization. He lifted in the wilderness a voice of leading and of grace. And when he came from Kansas to the Senate, he came with a conscience adjusted to realities, with a judgment informed by deep and broad experience, with standards and philosophies that fit the things of life. The dreamer fresh from cloistered peace had been trained in the great schools of action. Shaped anew in the clashes and the conflicts of the border, his thoughts were turned to actual aims, his ambitions divested of their veils. He became a power on this floor.

The forces he could summon to his service and which he knew how to marshal to important ends were forces which the greatest giants of the day had need to reckon with. He was an antagonist whom the strongest were careful to approach with caution and respect. Not only an orator but a scholar, not only a statesman but a patriot, he used the graces of the academy to

deck the massive structure of experience in vital things. He was no complacent doctrinaire, no suave juggler of abstractions. He was an alert and pulsing expert in the science of politics and statecraft.

Of his brilliant and profound attainments, his memorable deeds, his lofty purposes, and his notable achievements, what need to speak? These have passed into the record. They constitute a splendid chapter in our history. And, in addition to his triumphs as a debater, a leader, and a strategist, he developed into one of the wisest, fairest, and most enlightened presiding officers the Senate has ever known.

It was my fortune to know him well. It fell to my lot to oppose him at many times and on many moving issues; but I always recognized the sincerity of his convictions, the fine courage of his bearing, the chivalric purpose of his soul, and I am proud to lay upon his monument this wreath of my esteem.

[Mr. SPOONER addressed the Senate. See Appendix.]

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 14749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States.

Mr. BEVERIDGE. I ask unanimous consent that the unfinished business may be temporarily laid aside for the conclusion of these ceremonies.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent that the unfinished business be temporarily laid aside for the conclusion of these exercises. The Chair hears no objection, and that order is made.

Mr. DANIEL. Mr. President, rising to take a small part, and, as I regret to say, a hasty and imperfect part in the interesting ceremonies which are about to be concluded, there comes to my mind the vivid expression of a distinguished American statesman and Senator, Voorhees, who was once our honored colleague upon this floor. He said of our country that "we live in a land of brief antiquity." But yesterday, as it seems to many who are yet occupants of seats in this Chamber, there sat the form of John E. Kenna, of West Virginia [indicating], and there sat John J. Ingalls, of Kansas [indicating]. Already, while we are yet sharing together the labors of this Chamber, they have been translated as permanent Senators in that republic of reminiscence of our national history which we call Statuary Hall.

I knew well the Senator whose figure in white and marble will there stand while the generations come and go. I knew him in his home, which was the shrine of his affections, and shared its hospitality, and there he was most honored and beloved. A lovable man who loved him said: "His wife and his children were the lights of his life and he was theirs." I knew him as chairman of the Committee on the District of Columbia, of which for years I was a member. I saw his patience in counsel. I witnessed the care with which he administered his office, and I never found him otherwise than what his high duties called for him to be.

I knew him, like all his colleagues, as presiding officer of this Chamber. In that character he showed himself to be one of the most accomplished parliamentarians who ever presided over a deliberative body in our country. He was learned; he was alert; he was prompt; he was decisive; and to the various virtues in the discharge of those duties there is justly added the crown that he was fair. I knew him amidst the tumults of debates in this Chamber; and those who knew him realize that Kansas has been just in her selection of him as one whose statue should stand forever in our Capitol.

The President and Vice-President of the United States, and the members of the Senate and the House of Representatives, are the only public officials in the United States who are chosen, directly or indirectly, by its people. All of our vast corps of public servants, whether of the Army, the Navy, the judiciary, or the Executive Departments are chosen by the Executive head of our Government or his subordinates, and the Members of the House of Representatives are the sole participants in public power who are chosen by direct vote of the people. It is by such a system that the American people have established and so far have successfully conducted the Republic, their voice percolating through their chosen agents. In this body, where two Senators represent each State without regard to the diversities of population, of wealth, of area, of education or of race, without indeed regard to anything save that it is that composite entity which we call a State, we behold a species of representa-

tive government which was without precedent in ancient days, and seems to have furnished a model which has attracted the admiration and imitation of other peoples, and is likely to be copied in the political transformations which await the world.

Our own Constitution seems to have furnished the ideal of the Statuary Hall in this Capitol, and the Senate seems to have supplied the model, for there are to stand the images of two citizens of each State, and the State itself is to choose them.

The act which provided for Statuary Hall was enacted during the civil war, and the Hon. Justin S. Morrill, of Vermont, was its author. Though the smoke of battle then beclouded the heavens and the thunder of contending armies was borne upon every breeze, a coming time he saw in the vision of his dreams when all the people of this nation would dwell in amity again under the old roof-tree, and he anticipated it in his forecast of a representative hall that would contain the statues of their chosen leaders. The President of the United States was authorized to invite and has invited all the States to furnish them. They must be of men who have finished their earthly course, and if the Greek were apt in the exclamation "call no man happy until he dies," surely also was the draftsman apt in conferring such honors upon those who have passed beyond the shadows of life's struggles, and beyond the travail of envy, hatred, malice, and all uncharitableness.

The statues must be "of marble or bronze." Thus was manifested the intent to assure to them whatever of proof against the "cankering tooth of time" that man may impart to his fabrications. They must be of citizens of the State that furnished them who were "illustrious for their historic renown or for distinguished civic or military services," and they must be such as each State "may deem to be worthy of such national commemoration."

The State of Kansas, the thirty-fifth of the American Commonwealths to enter the Federal Union, has furnished the statue in white marble of her favored and honored son, John James Ingalls. It has been erected in Statuary Hall, and there will abide until time shall make those changes which we can not now even take into our imagination.

That State was a child of revolution. It was admitted to the Union January 29, 1861, while the sections were forming in the ranks of a prolonged and deadly strife.

John James Ingalls was also a child of revolution. A strapping youth of Massachusetts, he had entered Kansas in 1858 when that Territory was filling up with the combustible elements of internecine war over the slavery question. That abnormal question was under conditions that had never before arrested the progress of our race and it lay athwart the march of the American Republic. It presented issues which our people had never before dealt with and which it was a puzzle to them how to deal with. It is not my purpose to refer to it further than to relate the fact in this discussion, when now, happily, it has passed away.

It is not expected of me, nor is it my part, to eulogize the whole of the political career of Senator Ingalls. It was in large measure antipodal to what I believed in and to what I stood for.

But this does not withhold from me an expression of sincere respect and honor for many traits that he exhibited. He stood erect in the field of his conflicts. He was no crawling or creeping thing. He spoke with no forked tongue. He could always be found. If he gave blows he flinched not from receiving them. Many of his utterances were offensive to many, and offensive to me, and appeared to me to be extravagant, but men who wrestle in the fierce conflicts of life are not men to feel vindictiveness, and I feel none to him. Such facts, I hope, may never blind me to just and honorable recognition of courage, of skill, of genius, of patriotic aspiration and service by whomsoever displayed; and I recognize the fact that all of these virtues were conspicuously and notably displayed in him.

I believe that from his youth upward he followed the thread of the stream of his convictions, and though the waters flashed and foamed around him, and sometimes seemed to those who observed him to overrun the bank, who is there who has struggled in great conflicts and dealt with multitudes moved by great passions who has not himself been subject to some such animadversion as might be made of him?

Senator Ingalls was a high-strung man. He possessed the nervous, romantic, poetic, and artistic temperament. He was intense, and he was highly artistic. He was a student of words and learned to use them in all the delicate and deep-dyed hues of expression. There was a vein of rich genius in him. Men of this order carry their thoughts to the furthest limit. Instinctively they plan for effect, and, like the general in battle, they plan for instant effect. If in our own sedate and calm moments

they seem in their expressions to be overwrought, let us not judge, lest we ourselves be judged, for it is for us to remember that it was not in calm and sedate times nor in calm and sedate moments, that these words were uttered, but under the stirring and momentous spell of great events and of moving passions.

The reasons for the choice of Senator Ingalls for the Statuary Hall are not occult. He was the incarnation of the thought and the spirit of the Kansas people. He was also the incarnation of the thought and spirit of the great majority of the American people of his time. But he was a Kansan, one of the people, in every fiber of his being. He was no light conformist to the creeds that they professed and which he professed. He believed in them and they possessed him. It was through these creeds and in them that he became a leader of the people, and it was in defending them that he rose justly to public honors and won justly public distinction and favor.

We find many men who are able with the pen and who make great writers. We find many men who are able in speech and who make great speakers. I believe our country has more of both classes of this order of men than any nation that ever existed, and the fact is attributable to the freedom of discussion that has existed from the beginning of the Republic and the further fact that all questions here which touch the interest of the public weal are quickly translated to the forum of political agitation, and find there their ultimate solution at the polls. But we do not find many men, Mr. President, who are equally capable with tongue and pen. Thomas Jefferson wrote ably essays, history, scientific or philosophic commentary, but he never made a speech. It was said of Goldsmith that he "wrote like an angel, but talked like poor Poll."

John James Ingalls, of Kansas, had the double faculty. He could write neatly, patly, pithily, and to the point. He aimed directly at his mark. When he spoke or when he wrote he engaged attention from the start by some virile and pertinent utterance, and kept it to the end by compact, salient, and thought-laden expression. Always aggressive, he had the instinct attributed to Rufus Choate of aiming at the jugular vein of his adversary. Had he given his life, as did Mr. Greeley, to the editor's desk he would have been one of the most famous editors of his time. As an orator and as a debater here he stood easily in the front rank, and he vaulted to that rank from the time that he entered public life. No doubt his habit of writing made him the accurate man and clarified his expression; but he did not, as was said of Edmund Burke, speak essays. He spoke speeches. They were speeches addressed to that audience which was before him, to that topic which he was discussing, and framed according to an artistic recognition of the situation with which he dealt and of the best methods of dealing with it.

While I say this, it is also true that many of his addresses glisten with gems of philosophic thought, which are permanent contributions to the literature and wisdom of man, but as a rule it was "the pending question" that he dealt with and to which he brought the fruits of his genius and of his reflection.

The Roman said: "Tempora mutantur, et nos mutamur in illis." "Times change and we change with them." Some apply the sentence as a saturnine fling at changes of human opinion. It is in reality a simple statement of scientific and historic fact known to the meaning of our great poet and delineator of mankind, who says:

We know what we are, but know not what we may be. •

Nothing is unchangeable but change. That goes on with ceaseless pace, with every beat of the heart, with every tick of time, having for its goal, as the hope within our breast inspires, "that one far-off divine event to which the whole creation moves." It would be a paradox if man, changing his form, his attitude, his relations, his environments, his feelings, and his thoughts during every instant of his being could not properly change his convictions and his actions. Were a decree issued against such change it would freeze and annihilate every germ of growth, of progress, and of improvement, and the world would be a stagnant lump of inanity.

There is but one thing to which man can be ancestral, and that thing is his connection of duty as God hath given it to him to see that duty, and the enlightened mind will always be just to the honest character that follows that standard, no matter into what difference or antagonism it leads.

While I render sincere tribute to Senator Ingalls in matters where he and I were as far apart as the poles, it is a comfort to my feelings and it kindles the grateful senses of my heart to recall that at a crisis when, as we of the South thought, our dearest rights were menaced and great evil was foreboded to our people he acted manfully to avert that crisis by an independent course of conduct which bespoke stern stuff in his composition and a broad patriotism in his spirit. I also recall with similar

sentiments the fact that two of his most impressive and memorable orations were delivered in this Chamber on the lives and characters of two eminent southern statesmen who were opposed to him on great conjunctures and for many years.

I lay at his feet to-day the evergreen of gratitude, and he who has it not for a brave and generous deed has nothing.

Mr. President, I have regretted that the exactions of our occupations here have not permitted me to emulate the chaste and eloquent address of the Senator from Kansas, who presented the statue, and of my predecessors on receiving it.

I shall bring my remarks to a close, and, in doing so, permit me to quote a few sentences of the distinguished man to whom we pay honor:

There can be no step backward.
It is idle to quarrel with the inevitable.
What has been done we can not undo.
Statesmanship has no concern with the past except to learn its lessons.

Recrimination and hostile criticism are worse than useless.

This is the concrete essence of wisdom.

Again he says:

Society is reinforced from the bottom and not from the top. Families die out. Fortunes are dispersed. The recruits come from the farm, the forge, and the workshop, and not from the club and the palace. Those who will control the destinies of the twentieth century are now boys wearing homespun and "hand-me-downs," and not the gilded youth, clad in purple and fine linen and faring sumptuously every day.

Ingalls was himself a notable illustration of the young and aspiring American, who, filled with the spirit of adventure and of high ambition, rises to the front of undertakings and soon achieves his way to the front of accomplishment. Some, seeing the immensity of wealth and power, grow depressed as to the future. Such an example as his is the kind of example to keep forever before the youths of our country, and if the silent lips of the image which now stands in the Capitol shall bear fruitfully this message from Statuary Hall to the days that are to come, they will blossom in deeds which are worthy of our previous history and may dissipate any cloud that may gather on our horizon. Let it go forth to all the brave youth of America and stir their breasts to high endeavor. In America let us not forget that every day is "opportunity." As long as our free institutions exist the mettled horse for him who can ride him stands here always saddled at the door.

The PRESIDENT pro tempore. The question is on the adoption of the concurrent resolution submitted by the Senator from Kansas [Mr. LONG].

The concurrent resolution was unanimously agreed to.

ORDER OF BUSINESS.

Mr. PERKINS. Mr. President, I ask the Senator from Indiana [Mr. BEVERIDGE] in charge of the statehood bill that, if agreeable to him, that bill may be temporarily laid aside, in order that I may ask the Senate to proceed to the consideration of House bill 17094, making appropriations for fortifications and other works of defense, etc.

Mr. BEVERIDGE. I shall be very glad indeed to do that, unless the Senator from Tennessee [Mr. BATE], who is in the midst of his prepared address, desires now to proceed. The Senator from Tennessee yesterday suspended, and I supposed that of course to-day he might want to conclude his address; but if he does not, I am willing to assent to the proposition of the Senator from California [Mr. PERKINS].

Mr. BATE. Mr. President, I do not care to conclude to-day, and shall be very glad to have the Senate follow the course suggested by the Senator from California. I expect to resume my speech at 2 o'clock on Monday. It was understood yesterday when I suspended that the ceremonies which the Senate has just concluded were to occur to-day at the end of the morning hour, and no one supposed that there would be anything done afterwards.

Mr. BEVERIDGE. If the Senator does not now desire to proceed with his address, I shall be very glad to consent that the unfinished business be temporarily laid aside for the purpose suggested by the Senator from California.

Mr. FORAKER. I desire to understand what the agreement is. I suppose the agreement involves the laying aside of the statehood bill for to-day.

Mr. BEVERIDGE. Temporarily—for the day only—for the purpose stated by the Senator from California in his request for the consideration for this afternoon of the bill of which that Senator has charge.

Mr. FORAKER. All I want to know is that the statehood bill will not be called up again to-day. I want to leave the Chamber, but will not do so if that bill is to be called up.

Mr. BEVERIDGE. I think the Senator may leave the Chamber in perfect safety, so far as that subject is concerned.

The PRESIDENT pro tempore. The Senator from California

asks unanimous consent that the unfinished business may be temporarily laid aside, in order that the fortifications appropriations bill may be considered. Is there objection? The Chair hears none.

FORTIFICATIONS APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 17094) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, which had been reported from the Committee on Appropriations with an amendment.

Mr. PERKINS. I ask that the first formal reading of the bill may be dispensed with, that it be read for amendment, and that the amendments of the Committee on Appropriations be first considered.

The PRESIDENT pro tempore. The Senator from California asks unanimous consent that the first formal reading of the bill may be dispensed with and that it be read for amendment, the committee amendments first to receive consideration. Is there objection? The Chair hears none, and that order is made.

The Secretary proceeded to read the bill.

Mr. PERKINS. On behalf of the Committee on Appropriations, I move to strike out lines 10 and 11, on page 1, and to insert in lieu thereof what I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to strike out lines 10 and 11, on page 1, as follows:

For installation of range and position finders, \$500,000.

And in lieu hereof to insert:

For installation of range and position finders: For the purchase, installation, operation, and maintenance of necessary lines and means of electrical communication, including telephones, dial, and other telegraphs, wiring, and all special instruments, apparatus, and materials, coast signal apparatus, and salaries of electrical experts, engineers, and other necessary employees, connected with the use of coast artillery; for the purchase, manufacture, and test of range finders and other instruments for fire control at the fortifications, and the machinery necessary for their manufacture at the arsenals, \$1,000,000.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 23, or page 7.

Mr. PERKINS. I desire to move an amendment to the bill on page 7, line 20, by striking out the words "five 12-inch" and inserting in lieu thereof "two 12-inch and two 10-inch."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. Under the head of "Fortifications in insular possessions," on page 7, line 20, before the word "rifles," it is proposed to strike out "five 12-inch" and insert "two 12-inch and two 10-inch;" so as to read:

Provided, That the Secretary of War is authorized to mount two 12-inch and three 10-inch breech-loading rifles on a corresponding number of carriages for which appropriation was made for the insular possessions in the fortification act approved April 21, 1904, and in addition thereto two 12-inch and two 10-inch rifles for the carriages for which estimates are now submitted, these guns being surplus on hand in excess of the number of carriages provided for emplacements in the United States.

The PRESIDENT pro tempore. The question is on the amendment.

The amendment was agreed to.

Mr. GORMAN. Mr. President, I should like to inquire of the Senator who has proposed the amendment whether there has been submitted to the committees that framed this bill any plan and estimate of the cost of the fortifications in the new possessions of ours, or whether this work is being pursued simply on the piecemeal recommendation of the Department? As the Senator is perfectly well aware, we have had quite a number of boards that have recommended entire plans and submitted estimates of the cost for all the fortifications in the United States, and I gather from public statements, which I assume to be accurate, that the authorities of the War Department now recognize that the extensive plans adopted for the fortification of this country, entailing and contemplating the expenditure of many millions of dollars, have to some extent, indeed to a great extent, become obsolete; so that it is suggested that a new board shall be appointed and a new plan for our own fortifications shall be submitted and reported to Congress. I should like to inquire of the Senator whether or not the large appropriations which are being made for the fortification of our island possessions are under any specific plan?

Mr. PERKINS. Mr. President, I will state to the Senator from Maryland that, in conformity with the recommendation of the Secretary of War, Congress at its last session appropriated

\$1,318,000. On page 17 of the annual report of the Secretary of War for the year 1904, under the head "Defenses of insular possessions," there is a full report. As it is short, I will read it for the information of the Senator. It is as follows:

Projects for the defense of San Juan, P. R.; Pearl Harbor and Honolulu Harbor, Hawaii; San Luis d'Apra, Guam, and Manila Bay and Subig Bay in the Philippines, have heretofore been made and approved, and estimates for the necessary construction transmitted to Congress. Congress at its last session, by act of April 21, 1904, appropriated \$1,318,920 for beginning the work of fortifying our insular possessions.

Under this appropriation the work of actual construction of fortifications and their armament has begun in the Philippine Islands. The funds have been applied to heavy guns and batteries, which are costly and slow to build, leaving until later the lighter batteries, which in emergency could be rapidly completed and armed.

During the year the preparation of preliminary projects for emergency defenses of the more important harbors in the new insular possessions has been continued. Accurate surveys of a large number of battery sites have been completed, and actual construction of emplacements and installation of armament can follow at such rate of progress as may be determined upon by Congress. The importance of this work is obvious, and an appropriation of \$2,611,056 for continuing the work has been requested in the annual estimates submitted for the next fiscal year.

The funds under the control of the Ordnance Department so far appropriated for the defense of our insular possessions are only sufficient to supply carriages for the emplacements to be constructed by the Corps of Engineers. There are, however, a number of guns on hand in excess of the number required by the present approved projects for the coast defenses of the United States, which can be mounted on these carriages, if authorized by Congress. In submitting the annual estimates of the Department attention is drawn to this fact, with request that the necessary authorization be given for the use of these surplus guns in the defense of our insular possessions.

The amount recommended was \$2,611,056. As the bill passed the House of Representatives it carried an appropriation of \$936,000, and authorized the transfer of these guns, which were valued at \$380,000, making the appropriation the same this year, within \$2,000, of what it amounted to last year. That is about one-half of what was recommended by the Secretary of War.

Answering the question of the Senator from Maryland, I would say that your committee have had no knowledge of any board other than that on Fortifications and Ordnance that has passed upon these appropriations or upon the expenditure of them. That board, as the Senator is aware, consists of G. L. Gillespie, major-general, General Staff, president of the board; William Crozier, brigadier-general, Chief of Ordnance; J. P. Story, brigadier-general, Chief of Artillery; A. Mackenzie, brigadier-general, Chief of Engineers; R. D. Potts, lieutenant-colonel, Artillery Corps; E. M. Weaver, major, Artillery Corps, and Thomas J. Henderson, civilian member of the board. Under their direction the money heretofore appropriated has been expended at Manila and Subig Bay. There has been no other board of which your committee has any knowledge that has participated in or made any recommendations, other than those that come to us from the Secretary of War.

Mr. SPOONER. I should like to ask the Senator a question. Last year we had some discussion about the acquisition by the United States of the real estate admitted to be necessary for the fortifications in Hawaii. I should like to inquire of the Senator if any real estate has been acquired since the adjournment of Congress, and, if so, how much?

Mr. PERKINS. Two hundred thousand dollars was appropriated last year for the purchase of the proper sites near Honolulu, on the island on which Honolulu is located. This year the Department recommended an appropriation for the procurement of more land, but have stated no amount. The money which has been appropriated has not all been expended, for the reason that part of the land in Pearl Harbor is in process of condemnation, and the House committee believed, under the conditions that existed, that it was not expedient or advisable at this time to make any further appropriation for the purpose of securing more land in Honolulu, as the board had not made much progress. The Senate committee also took the same view of the question from the fact that if an emergency should arise and we wanted additional land we could take it and the price could be fixed at some future time. In the meantime speculators who have acquired the land are looking to the Government to be a good purchaser, and we thought they could afford to wait. Therefore, in the interest of economy and in the interest of the public service, your committee, after duly considering all the facts relating to this matter, believed it not expedient at this time to make a further appropriation.

Mr. SPOONER. And give the speculators another chance?

Mr. PERKINS. We thought they could afford to wait, without detriment to the public service.

Mr. SPOONER. I think it very bad policy, Mr. President.

Mr. TELLER. Mr. President, I want to ask a question of the Senator who has this bill in charge as to the item on page 7 for the construction of seacoast batteries, etc. I want to know from the Senator whether the War Department has furnished

any detailed statement of what is necessary for the fortification of our insular possessions?

Mr. PERKINS. That is the same question that was asked by the Senator from Maryland [Mr. GORMAN]. There has been no detailed report.

Mr. TELLER. I beg the Senator's pardon; I did not hear what the question of the Senator from Maryland was.

Mr. PERKINS. His question was whether there had been any board similar to the Endicott Board that had considered fully the subject of fortifying our insular possessions at Porto Rico, at Guam, in the Hawaiian Islands, and in the Philippine Islands, and I stated that your committee has no other information than that which appears in the report of the Secretary of War, which I read in the Book of Estimates, which we have before us, and in the report of the work that has been done.

Mr. TELLER. Mr. President, I understand from the Senator that the military authorities of the Government have no definite plan for the fortification of our insular possessions. They pick out one place and assume they want a certain amount of money expended there, and they pick out another place and want a certain amount of money expended there.

I am a member of the committee which reported this bill. I did not agree to some of these items, and I reserved the right to express my criticism on the floor of the Senate. Of course if we are to keep the insular possessions for all time and treat them as a part of the United States, it will become necessary to fortify them; but I venture to say now it will be found to cost more to fortify the coast of the insular possessions than it will to fortify both the Atlantic and the Pacific coasts of the United States with proper and suitable defenses.

I do not think that any committee of this body ought to report a bill without the ability to say to us what it will cost if we enter upon this work. We do not know how far this \$700,000, which it is proposed to be appropriated on page 7 of the bill, will go. We do not know whether we will want \$700,000 in the next year or seven million. There is nobody here, and I do not believe there is anybody in the War Department, who has any information that is worth anything, or who knows what it will cost to carry out these enterprises upon which we are entering now.

Mr. HALE. Will the Senator from Colorado allow me?

Mr. TELLER. Certainly.

Mr. HALE. I sympathize largely in his feelings about the enormous extent to which this will be magnified in the future. The Senator knows we have in this bill done a little something to remedy that, by providing that hereafter all estimates for appropriations for fortifying and defending the insular possessions shall be submitted in detail, showing the places where the money is to be spent and the extent of the money required. That will help out a good deal.

Mr. TELLER. That is on page 8.

Mr. HALE. Yes. Whether we can or ought to commit ourselves to any large general project for the future, I have some doubt, as I presume the Senator would have. If we ask for a project, and ask the Department to tell us what it will be for the future, it will be an enormous sum, and it will be said, if we begin to appropriate upon that basis, that we are committed to that general programme, like the programme of the Endicott board years ago. I should not quite want to do that.

Whether we can go any further than what the committee has recommended in this bill and oblige the Departments to tell us in detail where they are going to put this money from year to year, I have some doubts. But I agree with the Senator that it will be an enormous thing when we defend all these islands and these possessions, and they will be the point of attack. If we are ever in a war, there is where we will be vulnerable; they will constitute the heel of Achilles. It will take hundreds of millions of dollars.

Mr. TELLER. Mr. President, I am quite in favor of the amendment offered by the committee on page 8, to which the Senator from Maine refers. But that does not entirely cure this vice. On page 7 we find:

For construction of seacoast batteries in the insular possessions, \$700,000.

There is no limit as to the plan they may lay out. The whole of this sum may be expended in getting ready, and at the next session we shall be appealed to to go on with this work, and it will be said "you have already expended nearly a million dollars on it, and now you must put in more."

Mr. President, I have voted in the twenty-five years that I have been in this body as loyally for the defense of the Atlantic and the Pacific coasts as any man who lived on their waters. I have voted pretty positively and frequently for the defense of those coasts, not only by fortifications but by ships, and I am willing to do that now; but I am not willing that we shall enter upon a great expenditure of money in these insular possessions

without the prospect, to any man of ordinary sense, of any possible return for the outlay.

I know we are probably the richest nation in the world, and perhaps we feel the taxation put upon us as little as any people in the world, but there are a thousand uses to which we can put the money to better purpose than to waste it on these insular possessions, which can be of no good to us at any time, either if you refer to commerce or to subsequent occupation by the white race of this country. They will ever remain the Tropics; they will ever be in the hands of a tropical people; and they will produce only those things that we can not produce, and we will buy them and the islands will buy little or nothing of us, as the last four years have indicated.

Mr. President, I wish to enter my protest now, so that when the Department comes here at the next session—and I will be a member if I live—I shall not be estopped, and I hope nobody else will be estopped, from saying that we want to know, before we enter upon this enterprise, how much it is going to cost. Then we want to know how much good it will be to the American taxpayer who pays it. That is what we want to know. If the insular possessions are to be under our control and are not capable of furnishing the money to defend themselves, we had better turn them over to the people of the islands and let them manage the government as they see fit. They will be glad to take them.

As the Senator from Maine says, this is the weakest place in our armor. This is the place which, if we ever have a foreign war, we will have to defend first. This is the place where our enemies will have the greatest possible advantage of us.

My judgment leads me to believe that if we should spend a thousand million dollars upon those islands they would still be vulnerable and not invulnerable. They would not be like Port Arthur even, which maintained a great contest for eight or ten months. It is practically impossible to put up seacoast defenses on those islands so as to protect every point of the islands. If we enter upon that project, my judgment is we shall expend a great deal more money than we have spent on the Pacific and the Atlantic coasts, and a great deal more money than the intelligent taxpayers of this country will approve.

Mr. PERKINS. Mr. President, perhaps, as the Endicott board has been referred to, and as some of my associates on the committee have raised the question, I should explain briefly.

The amount estimated for was \$10,458,570.40. The bill as reported by the committee carries \$6,747,893, or \$770,300 less than was in the fortification bill last session.

One-third of this amount—say, \$2,000,000—is for repair, fortification, and modernizing our seacoast-defense plant; that is, for gun and armor batteries and their armament.

One-quarter of the total appropriation—say, \$1,550,500—is for range and position finders and extending the system of fire control; \$700,000 is for submarine defense; \$200,000 for searchlights; \$800,000 for ammunition for seacoast guns for practice and reserve supply. Eight hundred and seventy-seven thousand dollars is for artillery to be used by armies in the field, with ammunition for practice and reserve supply.

But I will dwell upon that. The present bill is a departure from the progressive installation Endicott scheme for the defense of our harbors, which was commenced in 1889, which scheme planned for the fortifications of thirty-one harbors, providing for 364 guns of 8, 10, and 12 inch, of which 334, or 91 per cent, have been provided for.

It is also provided for 524 12-inch mortars, and of these 376, or 71 per cent, are already emplaced or provided for, and in addition 1,296 rapid-fire guns, of which 587, or 45 per cent, have also been provided for.

An appropriation is made in this bill to modernize our armament and make them more efficient for service, instead of ordering new ones. At the time these guns were put in place it was considered good work to fire them once in seven or eight minutes. Now, with modern appliances of electricity, the emplacements, the conveniences for taking cartridges from the magazines and placing them upon the platform by an endless electric belt, we fire those same guns once every minute, and the maximum speed has been as high as one every forty-five seconds. It is stated in the testimony by General Story that the modernizing of these guns makes our force more effective than would be the case if we doubled the armament of the forts.

I want to say, parenthetically, that from Maine to Texas, from San Diego to Puget Sound, our principal harbors are as well fortified as any harbors in the world. The Board of Fortification and Ordnance, composed of the most eminent men in our Army, from the Ordnance Department, the Engineer Department, the artillery, and the infantry, have given us the result of their combined labors in their recommendations.

While I fully agree with my friend the Senator from Colorado that we ought to have some particular line to work upon and ought to hew to it, as the woodmen say, when we make an appropriation for the insular possessions, with the light before us your committee have given the matter thoughtful consideration, and we believe the result of their labors as presented in this bill will redound to the general good of the public service.

The reading of the bill was resumed.

The amendment of the Committee on Appropriations was, on page 8, after line 10, to insert:

Hereafter all estimates for fortifications for the insular possessions of the United States, including all defensive work, and all ordnance and carriages and machinery, shall be made and submitted to Congress in detail for each place in each insular possession.

Mr. GORMAN. I should like to ask the Senator in charge of the bill why not frame the amendment so as to require a full estimate for all that is proposed in the islands, as we do in the United States?

Mr. PERKINS. There is no objection to that. If the Senator from Maryland desires so to amend the committee amendment I will accept it, on behalf of the committee. The object the Senator from Maryland has in view is in full accord with that of the committee.

Mr. GORMAN. I think probably it will accomplish the object to strike out, in line 14, the words "in detail for each place in each insular possession;" so that it will read:

Hereafter all estimates for fortifications for the insular possessions of the United States, including all defensive work, and all ordnance and carriages and machinery, shall be made and submitted to Congress.

That will make the report general for the islands.

Mr. PERKINS. I ask that the amendment to the amendment be stated.

The PRESIDENT pro tempore. The Senator from Maryland offers an amendment, which will be stated.

The SECRETARY. On page 8, line 14, after the word "Congress," it is proposed to strike out "in detail for each place in each insular possession;" so that if amended it will read:

Hereafter all estimates for fortifications for the insular possessions of the United States, including all defensive work and all ordnance and carriages and machinery, shall be made and submitted to Congress.

Mr. PERKINS. There is no objection to that.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed and continued to the end of line 23, on page 8.

Mr. PERKINS. I move, on behalf of the committee, to strike out from line 16 to line 23, on page 8, the matter having been provided for in an amendment already adopted.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. TELLER. Mr. President, I want to move to strike out, on page 7, commencing in line 8, down to and including line 23. These are the insular possession appropriations.

The PRESIDENT pro tempore. The Senator from Colorado offers an amendment, which will be stated.

The SECRETARY. On page 7, after line 7, it is proposed to strike out all of the bill down to and including line 23 as amended.

Mr. PERKINS. I hope that motion will not prevail. If the Senator will read the report of the Secretary of War, page 17, which I have already read to the Senate, I think he will see that it is wise to make this appropriation. Your committee were unanimously in favor of this—and my friend the Senator from Colorado is a member—and I do not believe, in the interest of the public service, that we should amend the bill by striking out the provision referred to.

Mr. BERRY. I wish to say a word, Mr. President. The Senator from California says the committee was unanimous. I want to say that I was on another committee on that day, and was not present at the time when this bill was considered.

Mr. PERKINS. I always accord to my friend the right to dissent from the committee, although generally on the main proposition we agree. Knowing how painstaking and zealous he is, I felt that he had considered it as he does every measure that comes before Congress.

Mr. TELLER. I should like to say, notwithstanding the statement made by the chairman of the subcommittee, that I expressed my intention to question this on the floor of the Senate.

I do not know that I care to debate it. I want to test the sentiment of the Senate on this method of doing business. I do not think that it can be done this afternoon from appearances in the Chamber. So I ask that the bill may go over. I do not want to interfere with any other business that may be properly transacted, but I feel that we can not go any further with this bill to-day. Perhaps there ought to be an executive session.

Mr. PERKINS. If the Senator desires, we will pass the bill over for consideration until Monday morning.

Mr. TELLER. I do.

Mr. PERKINS. I hope that will be the sense of the Senate.

Mr. FORAKER. Before the bill is laid aside, I wish to make an inquiry of the Senator from Colorado. I simply heard the Senator remark that he did not like this way of doing business, or use some such expression. I ask only for information. I do not know to what he referred. I want to know what the objection is that he has in mind. I am asking simply for information, as I have said. I do not know to what point the Senator had reference.

Mr. TELLER. What I object to is this manner of putting in appropriation bills items for coast defense of insular possessions, and I drew from the member of the committee having the bill in charge that the committee had no statement of what the ultimate expense of these fortifications would be and no statement of the plan to be carried out. I think, as one branch of the Government having charge of the appropriation of money, it is our duty, under the Constitution and the laws, to revise the suggestions that come to us from the executive department. I think it is our duty to do it, and I do not like the method of voting money indefinitely. First, I do not know where the sea batteries are to be established—and nobody else here knows—and I do not know how large the plan is to be. If the Senator from Ohio wants to know what I refer to, I refer to the method of coming here without proper estimates. I object to that part found on page 7 of the bill, relating to our insular possessions, commencing in line 8 and going down to and including line 23.

Mr. FORAKER. I understand the Senator's motion to strike out. But I did not know what he had in mind when he made the remark to which I have referred.

I call the Senator's attention to the report of the Secretary of War, at page 17, where in part the information he desires is given. There, under the title "Defenses of insular possessions," it states:

Projects for the defense of San Juan, P. R.; Pearl Harbor and Honolulu Harbor, Hawaii; San Luis d'Apra, Guam, and Manila Bay and Subig Bay in the Philippines, have heretofore been made and approved, and estimates for the necessary construction transmitted to Congress. Congress at its last session, by act of April 21, 1904, appropriated \$1,318,920 for beginning the work of fortifying our insular possessions.

Then it goes on to say how much is needed to continue that work. I suppose the Secretary of War was of opinion when he wrote this report that Congress had already been advised as to where the defenses are to be located, and that Congress had also been advised as to the probable cost or the estimated cost, for he says the estimates have been sent to Congress. I do not know anything about it. I want information as badly as the Senator does.

Mr. PERKINS (to Mr. FORAKER). Here are the estimates.

Mr. TELLER. I know the report of which the Senator speaks. I know it does not contain an estimate from which any man can sit down and determine reasonably what will be the cost of this enterprise. I therefore object to this now, hoping that the provision on page 9 will at the next session of Congress bring us the information we need.

Mr. FORAKER. I understand—

Mr. TELLER. I stated, if the Senator will allow me, that there would be great difficulty in defending the insular possessions. It is a remarkable country, and I believe I am not misjudging when I say it will cost more to defend the insular possessions than it will to defend the entire Atlantic and Pacific coasts of the United States.

If the bill goes over, on Monday I suppose we will take it up and do something with it.

Mr. FORAKER. I am told by the Senator having the bill in charge that the Book of Estimates does show, item by item, the expenses, and the estimate of what will have to be incurred.

Mr. TELLER. I desire to say to the Senator there is no detailed estimate here. There may be here and there a point. But are there other points to be fortified? That is the question. If so, what will it cost?

Mr. President, I have not made these objections for the purpose of delaying the passage of this bill. I have suggested that it go over because I think we are entitled to the presence of a reasonable number of Senators when we vote on it.

IMPEACHMENT OF JUDGE CHARLES SWAYNE.

A message from the House of Representatives, by Mr. W. J. BROWNING, announced that the House had agreed to the following resolution:

IN THE HOUSE OF REPRESENTATIVES,
January 21, 1905.

Resolved, That a message be sent to the Senate to inform them that this House have appointed Mr. PALMER, Mr. POWERS of Massachusetts, Mr. OLMSTED, Mr. PERKINS, Mr. CLAYTON, Mr. DE ARMOND, and Mr.

SMITH of Kentucky managers to conduct the impeachment against Charles Swayne, judge of the district court of the United States in and for the northern district of Florida, and have directed the said managers to carry to the Senate the articles agreed upon by this House to be exhibited in maintenance of their impeachment against said Charles Swayne, and that the Clerk of the House do go with said message.

Mr. PLATT of Connecticut. Mr. President, I ask permission at this time to submit an order, and I ask that it be acted upon.

The PRESIDENT pro tempore. The Senator from Connecticut presents an order, and asks for its present consideration. It will be read.

The order was read, and agreed to, as follows:

Ordered, That the Secretary inform the House of Representatives that the Senate is ready to receive the managers appointed by the House for the purpose of exhibiting articles of impeachment against Charles Swayne, judge of the district court of the United States for the northern district of Florida, agreeably to the notice communicated to the Senate.

Mr. TELLER. Mr. President, if I may be allowed to say a word, I should like to say it now, for I believe possibly it may expedite business in the future.

We have just received from the House of Representatives notice that we are to enter upon an impeachment case. I am utterly unacquainted with the character of the charges made against this judge, for I have read only one of them, I think. I expect to sit here as a judge, and I did not care to prejudice my mind in favor of or against the judge by reading the matter when it was pending in another place.

It is our duty now, under the rules of the Senate, to proceed immediately with this impeachment. I have heard it rumored around the Senate Chamber that it was possible we might postpone it until the next session. There can be no support found for that, I think, either in reason or in precedent. We owe it to this judge to give him a trial, in order that if he is not guilty he may be acquitted. We owe it to the people of the district over which he presides to give him a trial, in order that if he is guilty he may be removed from office.

Now, the rules of the Senate require us to proceed, and to proceed at once. Mr. President, for one I am going to insist that we shall take up this impeachment case and proceed with it. We have a bill pending here that I do not suppose anyone on this floor expects to become a law. There is little interest taken in it. During this week, when it has been ably discussed here, a good deal of the time there have not been more than six Senators on the other side of the Chamber and frequently not many more than that number on this side. We have discussed it for hours here without a quorum in the Senate. No one has attempted to delay the bill unnecessarily or unreasonably; and here we are confronted with a duty; and I think the dignity and decency of the Senate require us to take up this case and dispose of it at the earliest day possible.

For one, I do not intend that a measure of that kind shall interfere with this hearing, if I can prevent it. We shall be able probably to pass the appropriation bills while we are conducting the case and in the few days that we will have to take in getting ready. We must notify the party who is impeached that he may come here and put in his defense. I suppose he may reasonably ask for a few days to get ready to make that defense. He will probably appear here by lawyers, because the impeaching party will appear here by a commission from the House. I wish to give this note of warning to the Senator who has the statehood bill in charge. I say that measure is of very little consequence compared with the disposition of this case.

For myself, Mr. President, I intend to submit my objections to the admission of Arizona and New Mexico as one State. I expect to submit some objection to the immediate annexation of the Indian Territory to Oklahoma. I should be delighted to vote for the admission of Oklahoma, and I should be delighted to vote for the admission of New Mexico and Arizona as separate States. If the dominant party in the Senate are willing to admit Oklahoma, the Government reserving the right to put on the Indian Territory whenever we think it ought to go on, and are willing to admit New Mexico and Arizona as separate States, I should be glad to join in that effort. I should like to vote for the admission of New Mexico. I think I have voted for its admission at least ten or twelve times in the last twenty-eight years. I think it ought to have been admitted fully fifty years ago.

Mr. PLATT of Connecticut. Mr. President, I do not know that this is exactly the proper time to discuss the proposed impeachment case. Certainly I think there will be a future time when it will perhaps be more proper to discuss it. In view of what the Senator from Colorado said, I thought I would not let the moment pass without assuring him that his apprehensions that the case might be continued to another session of the Senate are without foundation. All the expression I have heard

from Senators is to the effect that we ought to proceed with it and conclude it.

Mr. TELLER. I was not alarmed about its being continued, for I know that can not be done by law, but that we might decline to proceed to try the case. We would disgrace ourselves before the world if we declined to proceed with it.

Mr. PLATT of Connecticut. I do not think the Senator need have any apprehension on that point.

MISSOURI RIVER BRIDGE AT YANKTON, S. DAK.

Mr. GAMBLE. I ask unanimous consent for the present consideration of the bill (S. 6450) to amend an act entitled "An act authorizing the Winnipeg, Yankton and Gulf Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak."

Mr. BEVERIDGE. In this connection, I ask unanimous consent that the unfinished business shall be laid aside for the consideration of the bill the Senator from South Dakota has called up, and for nothing else.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent that the unfinished business be temporarily laid aside for the consideration of the bill indicated by the Senator from South Dakota. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. KEAN. If it is agreeable to the Senator from Indiana, I will move that the Senate proceed to the consideration of executive business.

Mr. BEVERIDGE. It is entirely agreeable.

Mr. KEAN. I make that motion.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 3 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, January 23, 1905, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 21, 1905.

COLLECTOR OF CUSTOMS.

Charles B. Crosno, of Oregon, to be collector of customs for the District of Yaquina, in the State of Oregon. (Reappointment.)

PROMOTIONS IN THE ARMY.

Subsistence Department.

Lieut. Col. Henry B. Osgood, deputy commissary-general, to be assistant commissary-general with the rank of colonel, January 19, 1905, vice Alexander, retired from active service.

Maj. William H. Baldwin, commissary, to be deputy commissary-general with the rank of lieutenant-colonel, January 19, 1905, vice Osgood, promoted.

Medical Department.

Lieut. Col. John Van R. Hoff, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, January 19, 1905, vice Smart, retired from active service.

Maj. William B. Davis, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, January 19, 1905, vice Hoff, promoted.

Capt. Champe C. McCulloch, jr., assistant surgeon, to be surgeon with the rank of major, January 19, 1905, vice Davis, promoted.

Ordnance Department.

Lieut. Col. Charles S. Smith, Ordnance Department, to be colonel, January 19, 1905, vice Shaler, retired from active service.

Maj. Andrew H. Russell, Ordnance Department, to be lieutenant-colonel, January 19, 1905, vice Smith, promoted.

Capt. Beverly W. Dunn, Ordnance Department, to be major, January 19, 1905, vice Russell, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 21, 1905.

COMMISSIONER OF IMMIGRATION.

Robert Watchorn, of New York, to be commissioner of immigration at the port of New York, N. Y., in the Department of Commerce and Labor, to take effect February 11, 1905.

REGISTER OF LAND OFFICE.

Henry H. Myers, of Arkansas, to be register of the land office at Little Rock, Ark.

COLLECTOR OF INTERNAL REVENUE.

Ernest Coldwell, of Tennessee, to be collector of internal revenue for the fifth district of Tennessee.

APPRAISER OF MERCHANDISE.

Miner G. Norton, of Ohio, to be appraiser of merchandise in the district of Cuyahoga, in the State of Ohio.

APPOINTMENTS IN THE NAVY.

John H. Blue and Thomas G. Foster, jr., citizens of New York and Alabama, respectively, to be assistant surgeons in the Navy, from the 16th day of January, 1905.

PROMOTION IN THE NAVY.

Lieut. (Junior Grade) John A. Schofield to be a lieutenant in the Navy, from the 17th day of June, 1904.

POSTMASTERS.

FLORIDA.

Peter P. Cobb to be postmaster at Fort Pierce, in the county of Brevard and State of Florida.

Charles C. Peck to be postmaster at Brooksville, in the county of Hernando and State of Florida.

MARYLAND.

Alfred Sigler to be postmaster at Ridgely, in the county of Caroline and State of Maryland.

MINNESOTA.

Charles H. Strobeck to be postmaster at Litchfield, in the county of Meeker and State of Minnesota.

MISSOURI.

Elmer E. Hart to be postmaster at Eldon, in the county of Miller and State of Missouri.

Warren W. Parish to be postmaster at Adrian, in the county of Bates and State of Missouri.

MONTANA.

Grace Lamont to be postmaster at Dillon, in the county of Beaverhead and State of Montana.

PENNSYLVANIA.

Scott Bancroft to be postmaster at Shinglehouse, in the county of Potter and State of Pennsylvania.

Thomas Pickrell to be postmaster at Oldforge, in the county of Lackawanna and State of Pennsylvania.

Francis A. Seip to be postmaster at Palmerton, in the county of Carbon and State of Pennsylvania.

TENNESSEE.

Joseph C. Hale to be postmaster at Winchester, in the county of Franklin and State of Tennessee.

WASHINGTON.

William P. Ely to be postmaster at Kelso, in the county of Cowlitz and State of Washington.

Olaf N. Erickson to be postmaster at Auburn, in the county of King and State of Washington.

George D. C. Pruner to be postmaster at Blaine, in the county of Whatcom and State of Washington.

HOUSE OF REPRESENTATIVES.

SATURDAY, January 21, 1905.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

TRANSFER OF CERTAIN UNUSED PORTION OF THE NATIONAL CEMETERY RESERVATION, CHATTANOOGA, TENN.

Mr. MOON of Tennessee. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 181.

The SPEAKER. The gentleman from Tennessee [Mr. Moon] asks unanimous consent for the present consideration of House joint resolution 181, the title of which the Clerk will report.

The Clerk read as follows:

Authorizing the Secretary of War to transfer to the militia cavalry organization at Chattanooga, Tenn., a certain unused portion of the national cemetery reservation at Chattanooga, Tenn.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.